

106TH CONGRESS
1ST SESSION

H. R. 1637

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1999

Mr. MARTINEZ introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Older Americans Act of 1965 to extend authorizations of appropriations for programs under the Act through fiscal year 2004, to establish a National Family Caregiver Support Program, to modernize aging programs and services, to address the need to engage in life course planning, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; REFERENCES IN ACT; TABLE OF**
4 **CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Older Americans Act Amendments of 1999”.

1 (b) REFERENCES.—Except where otherwise specifi-
 2 cally provided, references in this Act shall be considered
 3 to be made to the Older Americans Act of 1965, or to
 4 a section or other provision thereof.

5 (c) TABLE OF CONTENTS.—The table of contents of
 6 this Act is as follows:

Sec. 1. Short title; references in Act.

TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

PART A—ADMINISTRATION ON AGING

- Sec. 101. National Eldercare Locator Service.
- Sec. 102. Repeal of executed requirements.
- Sec. 103. Development of performance outcome measures.
- Sec. 104. Federal agency consultation.
- Sec. 105. Acceptance of gifts for certain purposes.
- Sec. 106. Authorization of appropriations.

PART B—STATE AND COMMUNITY PROGRAMS ON AGING

- Sec. 111. Clarification concerning services to non-elderly.
- Sec. 112. Reorganization and streamlining of area plan requirements.
- Sec. 113. Coordination of services for individuals with disabilities under area plans.
- Sec. 114. Eligibility of older Native Americans for services under area plans.
- Sec. 115. Reorganization and streamlining of state plan requirements.
- Sec. 116. Health care information systems.
- Sec. 117. State option for cost sharing.
- Sec. 118. State option concerning consumer-directed services.
- Sec. 119. State-area agency service innovation development projects.
- Sec. 120. Transfer of funds between programs.
- Sec. 121. Availability of disaster relief funds to tribal organizations.
- Sec. 122. Nutrition services incentive program.
- Sec. 123. Waivers of certain requirements for State programs.
- Sec. 124. Consolidation of authorities for supportive services and senior centers.
- Sec. 125. Consolidation of authorities for nutrition services.
- Sec. 126. National family caregiver support program.
- Sec. 127. Authorization of appropriations.

PART C—STATE AND LOCAL INNOVATIONS AND PROGRAMS OF NATIONAL SIGNIFICANCE

- Sec. 141. Revision of title IV.
- Sec. 142. Authorization of appropriations.

PART D—COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

- Sec. 151. Purposes of projects.
- Sec. 152. Program authorized.

- Sec. 153. Administration.
- Sec. 154. Equitable distribution of assistance.
- Sec. 155. Authorization of appropriations.
- Sec. 156. Workforce investment activities.
- Sec. 157. Additional provisions.

PART E—GRANTS FOR NATIVE AMERICANS

- Sec. 161. Limit of one grant per Native American organization.
- Sec. 162. Expenditures for nutrition services.
- Sec. 163. Authorization of appropriations.

PART F—VULNERABLE ELDER RIGHTS PROTECTION

- Sec. 171. Consolidated authorization of appropriations and related amendments.
- Sec. 172. Life course planning program.
- Sec. 173. Demonstration authority extended to life course planning.
- Sec. 174. Amendment of inconsistent provisions concerning assistance program for insurance and public benefits.

PART G—DEFINITIONS

- Sec. 181. Definitions.

PART H—EFFECTIVE DATE

- Sec. 191. Effective date.

TITLE II—WHITE HOUSE CONFERENCE ON AGING

- Sec. 201. White House Conference authorized.
- Sec. 202. Conference administration.
- Sec. 203. Policy Committee; related committees.
- Sec. 204. Report of the Conference.
- Sec. 205. Definitions.
- Sec. 206. Authorization of appropriations.

1 **TITLE I—AMENDMENTS TO THE** 2 **OLDER AMERICANS ACT OF 1965**

3 **PART A—ADMINISTRATION ON AGING**

4 **SEC. 101. NATIONAL ELDERCARE LOCATOR SERVICE.**

5 Section 202(a)(24) (42 U.S.C. 3012(a)(24)) is
6 amended to read as follows:

7 “(24) develop and operate, either directly
8 or through contracts, grants, or cooperative
9 agreements, a National Eldercare Locator Serv-

1 ice, providing nationwide toll-free information
 2 and assistance services to identify community
 3 resources for older individuals;”.

4 **SEC. 102. REPEAL OF EXECUTED REQUIREMENTS.**

5 (a) STUDY ON TARGETING OF FUNDS.—Section
 6 202(a) (42 U.S.C. 3012(a)) is amended—

7 (1) by striking paragraph (27); and

8 (2) by redesignating paragraphs (28) through
 9 (30) as paragraphs (27) through (29), respectively.

10 (b) EVALUATION OF NUTRITION SERVICES.—Section
 11 206 (42 U.S.C. 3017) is amended—

12 (1) by striking subsection (g); and

13 (2) by redesignating subsection (h) as sub-
 14 section (g).

15 **SEC. 103. DEVELOPMENT OF PERFORMANCE OUTCOME**
 16 **MEASURES.**

17 Section 202 (42 U.S.C. 3012) is amended by adding
 18 at the end the following new subsection:

19 “(f) PERFORMANCE OUTCOME MEASURES.—

20 “(1) IN GENERAL.—The Assistant Secretary, in
 21 accordance with the process described in paragraph
 22 (2), shall develop in collaboration with a representa-
 23 tive group of State and area agencies on aging, and
 24 publish by December 31, 2000, a set of performance
 25 outcome measures to be used for planning, man-

1 aging, and evaluating activities performed and serv-
2 ices provided under the Act.

3 “(2) DEVELOPMENT PROCEDURE.—The process
4 for developing the performance outcome measures
5 described in paragraph (1) shall include—

6 “(A) a review of such measures currently
7 in use by State and area agencies on aging;

8 “(B) development of a set of such meas-
9 ures that provide information about the major
10 activities performed and services provided under
11 this Act;

12 “(C) pilot testing of the proposed set of
13 such measures, including an identification of re-
14 source, infrastructure, and data collection
15 issues at the State and local levels; and

16 “(D) evaluation of the pilot test and rec-
17 ommendations for modification of the proposed
18 measures.”.

19 **SEC. 104. FEDERAL AGENCY CONSULTATION.**

20 Section 203(b) (42 U.S.C. 3013(b)) is amended—

21 (1) by striking “and” at the end of paragraph
22 (17);

23 (2) by striking the period at the end of para-
24 graph (18) and inserting “; and”; and

1 (3) by adding at the end the following new
2 paragraph:

3 “(19) title I of the Workforce Investment Act
4 of 1998.”.

5 **SEC. 105. ACCEPTANCE OF GIFTS FOR CERTAIN PURPOSES.**

6 Section 215 (42 U.S.C. 3020f) is amended—

7 (1) in the caption, by striking “APPROPRIA-
8 TIONS” and inserting “APPROPRIATIONS; GIFTS.”;
9 and

10 (2) by adding at the end the following new sub-
11 section:

12 “(c) GIFTS.—

13 “(1) AUTHORITY TO ACCEPT GIFTS.—The As-
14 sistant Secretary may accept, on behalf of the
15 United States, gifts (in cash or in kind, including
16 voluntary and uncompensated services), which shall
17 be available until expended for the purposes specified
18 in paragraph (2). Gifts of cash shall be available in
19 addition to amounts appropriated to carry out this
20 Act.

21 “(2) USE OF GIFTS.—Gifts accepted pursuant
22 to paragraph (1) may be used either directly, or for
23 grants to or contracts with public or non-profit pri-
24 vate entities, for the following activities under this
25 title:

1 “(A) The design and implementation of
2 demonstrations of innovative ideas and best
3 practices in programs and services for older in-
4 dividuals.

5 “(B) The planning and conduct of con-
6 ferences for the purpose of exchange among
7 concerned individuals and public and private
8 entities and organizations of information relat-
9 ing to programs under this Act and other pro-
10 grams and services for older individuals.

11 “(C) The development, publication, and
12 dissemination of informational materials (in
13 print, visual, electronic, or other media) relating
14 to the programs and services under this Act
15 and other matters of concern to older individ-
16 uals.

17 “(3) ETHICS GUIDELINES.—The Assistant Sec-
18 retary shall establish written guidelines setting forth
19 the criteria to be used in determining whether the
20 acceptance of gifts or donations pursuant to this
21 paragraph would reflect unfavorably upon the ability
22 of the Administration on Aging, or the Department
23 of Health and Human Services, or any employee to
24 carry out its responsibilities or official duties in a
25 fair and objective manner, or would compromise the

1 integrity or the appearance of integrity of its pro-
2 grams or of any official involved in those pro-
3 grams.”.

4 **SEC. 106. AUTHORIZATIONS OF APPROPRIATIONS.**

5 “(a) FEDERAL COUNCIL ON THE AGING.—Section
6 204(g) (42 U.S.C. 3015(g)) is amended by striking all
7 that follows “There are authorized to be appropriated”
8 and inserting “such sums as may be necessary to carry
9 out this section.”.

10 “(b) ADMINISTRATION ON AGING.—Section 215 (42
11 U.S.C. 3020f) (as amended by section 102) is further
12 amended—

13 “(1) by striking “for the Administration” and
14 all that follows and inserting the following:
15 “for the Administration—

16 “(1) \$16,830,000 for fiscal year 2000; and

17 “(2) such sums as may be necessary for each
18 of the four succeeding fiscal years.”;

19 (2) by striking subsection (b); and

20 (3) by redesignating subsection (c) (as added by
21 section 102) as subsection (b).

1 **PART B—STATE AND COMMUNITY PROGRAMS ON**
2 **AGING**

3 **SEC. 111. CLARIFICATION CONCERNING SERVICES TO NON-**
4 **ELDERLY.**

5 Section 301 (42 U.S.C. 3021) is amended by adding
6 at the end the following new subsection:

7 “(d) SCOPE OF SERVICES; USE OF FUNDS.—

8 “(1) RESTRICTED USE OF RESOURCES UNDER THE
9 ACT.—Federal funds paid to States under this title, and
10 cash and in-kind contributions required by section 304(d)
11 as the non-Federal share of expenditures under this title,
12 shall be used only for activities and services to benefit
13 older individuals and other individuals as specifically pro-
14 vided in this title.

15 “(2) RESTRICTION INAPPLICABLE TO OTHER
16 RESOURCES.—Neither paragraph (1) nor any other
17 provision of this title shall be construed to prohibit
18 State or area agencies on aging from engaging in ac-
19 tivities or providing services to benefit individuals
20 not described in paragraph (1) using cash or in-kind
21 resources from sources not described in paragraph
22 (1).

23 **SEC. 112. REORGANIZATION AND STREAMLINING OF AREA**
24 **PLAN REQUIREMENTS.**

25 (a) AREA PLAN REQUIREMENTS.—Section 306(a)
26 (42 U.S.C. 3026(a)) is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking “Each such plan shall—” and inserting
3 “Each such plan shall comply with the following re-
4 quirements.”;

5 (2) in paragraph (1), to read as follows:

6 “(1) SERVICES PROVIDED.—The plan shall pro-
7 vide for the furnishing, through a comprehensive
8 and coordinated system, of services the need for
9 which has been determined pursuant to paragraph
10 (3), including—

11 “(A) supportive services (including at least
12 the service specified in paragraph (2);

13 “(B) nutrition services; and

14 “(C) where appropriate, the establishment,
15 maintenance, or construction of multipurpose
16 senior centers.”;

17 (3) in paragraph (2)—

18 (A) by inserting “PRIORITY SERVICES.—
19 The plan shall” after “(2)”;

20 (B) by striking “section 307(a)(22)” and
21 inserting “section 307(a)(2)”;

22 (C) by striking “and specify annually in
23 such plan, as submitted or as amended” and in-
24 serting “and assurances that the area agency
25 will report annually to the State agency”; and

1 (D) by striking the semicolon at the end
2 and inserting a period;

3 (4) by striking paragraphs (3) (designation of
4 focal points for service delivery in each community)
5 and (4) (information and assistance services);

6 (5) by inserting after paragraph (2) the fol-
7 lowing new paragraph:

8 “(3) DETERMINATION OF NEEDS.—The plan
9 shall provide for determining the extent of need for
10 the services specified in paragraphs (1) and (2) in
11 the area taking into consideration, among other
12 things—

13 “(A) the numbers of older individuals re-
14 siding in such area—

15 “(i) who have low incomes;

16 “(ii) who have greatest economic need
17 (with particular attention to low-income
18 minority individuals);

19 “(iii) who have greatest social need
20 (with particular attention to low-income
21 minority individuals); or

22 “(iv) who are Native Americans; and

23 “(B) the effectiveness of use of resources
24 (including efforts of volunteers and voluntary
25 organizations) in meeting such need.”;

1 (6) by redesignating paragraph (5) as para-
2 graph (4), and amending the paragraph—

3 (A) by inserting “OBJECTIVES FOR SERV-
4 ICES TO OLDER INDIVIDUALS WITH GREATEST
5 NEED.—The plan shall” after “(4)”; and

6 (B) by striking the semicolon at the end
7 and inserting a period;

8 (7) in paragraph (6)—

9 (A) by inserting “POLICY DEVELOP-
10 MENT.—The plan shall—” after “(6)”;

11 (B) by striking subparagraphs (A) (evalua-
12 tions and public hearings) and (B) (technical
13 assistance to providers);

14 (C) by relocating and redesignating sub-
15 paragraph (D) as subparagraph (A);

16 (D) by relocating and redesignating sub-
17 paragraph (F) as subparagraph (B);

18 (E) by relocating and redesignating sub-
19 paragraph (M) as subparagraph (D);

20 (F) by striking the semicolon at the end of
21 subparagraph (D) (as so redesignated) and in-
22 serting a period; and

23 (G) by striking subparagraphs (E) (ar-
24 rangements with specified organizations), (G)
25 (methods for determining priority services), (J)

1 (identification of protective service providers),
2 (L) (coordination of services for Alzheimer’s pa-
3 tients), (O) (information on higher education),
4 (Q) (coordination with housing providers), (R)
5 (telephone listings of area agencies), and (S)
6 (coordination of transportation services);

7 (8) by striking paragraphs (7) through (10)
8 (assurances that funds will be spent for the purposes
9 awarded);

10 (9) by striking subparagraphs (I) and (K) of
11 paragraph (6) (community-based long-term care
12 services) and inserting after paragraph (6) the fol-
13 lowing new paragraph:

14 “(7) COMMUNITY-BASED LONG-TERM CARE
15 SERVICES.—The plan shall provide that the area
16 agency will facilitate the coordination of community-
17 based, long-term care services designed to enable
18 older individuals to remain in their homes, by means
19 including—

20 “(A) development of case management
21 services as a component of the long-term care
22 services, consistent with the requirements of
23 paragraph (8);

24 “(B) involvement of long-term care pro-
25 viders in the coordination of such services; and

1 “(C) increasing community awareness of
2 and involvement in addressing the needs of resi-
3 dents of long-term care facilities.”;

4 (10) by relocating and redesignating paragraph
5 (20) as paragraph (8), and amending such para-
6 graph by inserting “PROVISION OF CASE MANAGE-
7 MENT SERVICES.—The plan shall” after “(8)”;

8 (11) by redesignating paragraph (11) as para-
9 graph (9), and amending such paragraph—

10 (A) by inserting “MAINTENANCE OF EF-
11 FORT FOR OMBUDSMAN PROGRAM.—The plan
12 shall” after “(9)”;

13 (B) by striking “section 307(a)(12)” and
14 inserting “section 307(a)(9)”;

15 (C) by striking the semicolon at the end
16 and inserting a period;

17 (12) by redesignating and relocating paragraph
18 (6)(P) as paragraph (10), and amending such
19 paragraph—

20 (A) by inserting “GRIEVANCE PROCE-
21 DURE.—The plan shall” after “(10)”;

22 (B) by striking the semicolon and inserting
23 a period;

1 (13) by striking paragraphs (6)(N), (18), and
2 (19), and inserting after paragraph (10) the fol-
3 lowing paragraph:

4 “(11) SERVICES TO NATIVE AMERICANS.—The
5 plan shall provide the following assurances con-
6 cerning services to older Native Americans:

7 “(A) If there is a significant population of
8 older individuals who are Native Americans in
9 the area, the area agency will pursue activities,
10 including outreach, to increase access of such
11 individuals to programs and benefits under this
12 title.

13 “(B) The area agency will, to the max-
14 imum extent practicable, coordinate the services
15 it provides under this title with services pro-
16 vided under title VI.”;

17 (14) by striking paragraph (12) (area option
18 concerning volunteer services coordinator);

19 (15) by striking paragraphs (13) through (16)
20 (description of and assurances concerning activities
21 of area agency);

22 (16) by striking paragraph (17); and

23 (17) by striking paragraph (6)(H), and insert-
24 ing after paragraph (11) the following new para-
25 graph:

1 “(12) COORDINATION WITH PROGRAMS OF
 2 OTHER AGENCIES.—The plan shall provide that the
 3 area agency on aging will establish procedures for
 4 coordination with entities conducting other Federal
 5 or Federally assisted programs for older individuals
 6 at the local level, with particular emphasis on enti-
 7 ties conducting programs described in section 203(b)
 8 within the area.”.

9 (b) STATE WAIVERS.—Section 306(b) (42 U.S.C.
 10 3026(b)) is amended—

11 (1) by striking paragraph (2) (procedural re-
 12 quirements for State agency waivers to area agen-
 13 cies); and

14 (2) by striking “(1)” after “(b)”.

15 **SEC. 113. COORDINATION OF SERVICES FOR INDIVIDUALS**
 16 **WITH DISABILITIES UNDER AREA PLANS.**

17 Section 306(a) (42 U.S.C. 3026(a)) (as amended by
 18 section 112 of this Act) is further amended by inserting
 19 after paragraph (4) the following new paragraph:

20 “(5) COORDINATION OF SERVICES FOR INDIVID-
 21 UALS WITH DISABILITIES.—The plan shall provide
 22 assurances that the area agency on aging will coordi-
 23 nate planning, identification, assessment of needs,
 24 and services for older individuals with disabilities,
 25 with particular attention to individuals with severe

1 disabilities, with agencies that develop or provide
2 services for individuals with disabilities.”.

3 **SEC. 114. ELIGIBILITY OF OLDER INDIANS FOR SERVICES**
4 **UNDER AREA PLANS.**

5 (a) UNDER AREA PLANS.—Section 306(a)(11) (42
6 U.S.C. 3026(a)(11)) (as added by section 112) is amended
7 by adding at the end the following new subparagraph:

8 “(C) Notwithstanding any provision of this
9 Act restricting eligibility for services to individ-
10 uals aged 60 or older, the area agency will
11 make services under the area plan available, to
12 the same extent as such services are available
13 to older individuals within the service area, to
14 older Indians eligible for services under an ap-
15 proved plan under title VI.”.

16 (b) UNDER GRANTS FOR INDIANS.—Sections 602,
17 611, 613, and 614 (42 U.S.C. 3057a, 3057b, 3057d, and
18 3057e, respectively) are each amended by striking “indi-
19 viduals who are” each place it appears.

20 **SEC. 115. REORGANIZATION AND STREAMLINING OF STATE**
21 **PLAN REQUIREMENTS.**

22 Section 307(a) (42 U.S.C. 3027(a)) is amended—

23 (1) by striking paragraphs (1) and (2) and in-
24 serting the following:

25 “(1) AREA PLANS.—The plan shall—

1 “(A) require each area agency designated
2 under section 305(a)(2)(A) to develop and sub-
3 mit to the State agency for approval, in accord-
4 ance with a uniform format developed by the
5 State agency, an area plan meeting the require-
6 ments of section 306; and

7 “(B) be based on such area plans.”;

8 (2) by striking paragraphs (3)(A) (evaluation of
9 need for services), (9) (information and assistance
10 services), and (22) (funding shares for priority serv-
11 ices), and amending paragraph (2) to read as fol-
12 lows:

13 “(2) DETERMINATION OF SERVICE NEEDS.—

14 The plan shall provide that the State agency will—

15 “(A) evaluate, using uniform procedures
16 under section 202(a)(29), the need for sup-
17 portive services (including legal assistance, in-
18 formation and assistance, and transportation
19 services), nutrition services, and multipurpose
20 senior centers within the State;

21 “(B) determine the extent to which exist-
22 ing public or private programs and resources
23 (including volunteers and programs and services
24 of voluntary organizations) meet such need; and

“(C) specify a minimum percentage of the funds received by each area agency for part B to be expended (unless waived by the State agency under section 306(b)) (42 U.S.C. 3026(b)) by such area agency to provide each of the categories of services specified in section 306(a)(2).”;

(3) by striking paragraphs (3)(B) (maintaining rural funding), (29) and (37) (rural services and costs thereof), and (33) (intra-State funding formula), and adding after paragraph (2) the following new paragraph:

“(3) INTRA-STATE FUNDING REQUIREMENTS.—

The plan shall—

“(A) include (and may not be approved unless the Assistant Secretary approves) the statement and demonstration required by paragraphs (2) and (4) of section 305(d) (concerning intra-State distribution of funds); and

“(B) with respect to services to older individuals residing in rural areas—

“(i) provide assurances that the State agency will spend for each fiscal year, under this title and titles V and VII, not

1 less than 105 percent of the amount so ex-
2 pended for fiscal year 1978;

3 “(ii) identify, for each fiscal year
4 under the plan, the projected costs of pro-
5 viding such services (including the cost of
6 providing access to such services); and

7 “(iii) describe the methods used to
8 meet the needs for the such services in the
9 fiscal year preceding the first year to
10 which such plan applies.”;

11 (4) by striking paragraph (4) (methods of ad-
12 ministration, personnel standards);

13 “(5) by striking paragraph (8) (evaluations and
14 hearings) and inserting after paragraph (3) the fol-
15 lowing paragraph:

16 “(4) EVALUATIONS.—The plan shall provide
17 that the State agency will conduct periodic evalua-
18 tions of, and public hearings on, activities and
19 projects carried out in the State under this title and
20 title VII, including evaluations of the effectiveness of
21 outreach and provision of services to individuals with
22 greatest economic need, greatest social need, or dis-
23 abilities, with particular attention to low-income mi-
24 nority individuals.”;

(6) by striking paragraph (43) (grievance procedures) and amending paragraph (5) (hearing for area agencies and providers) to read as follows:

“(5) “HEARINGS FOR AREA AGENCIES AND PROVIDERS; GRIEVANCE PROCEDURES.—The plan shall provide that the State agency will—

“(A) afford an opportunity for a hearing upon request, in accordance with published procedures, to any area agency submitting a plan under this title, or to any provider of (or applicant to provide) services under such a plan; and

“(B) issue guidelines applicable to grievance procedures required by section 306(a)(10).”;

“(7) in paragraph (6), by inserting “REPORTS.—” after “(6)”;

“(8) in paragraph (7)—

(A) by inserting “FISCAL CONTROLS.—” after “(7)”;

“(B) by striking subparagraph (C);

(9) by redesignating paragraph (10) as paragraph (8) and amending such paragraph by inserting “RESTRICTION ON DIRECT PROVISION OF SERVICES.—” after “(8)”;

1 (10) by striking paragraph (11) (hiring pref-
2 erence for older individuals and individuals trained
3 in field of aging);

4 (11)(A) by redesignating paragraph (12) as
5 paragraph (9), and amending such paragraph—

6 (i) by inserting “LONG-TERM CARE OM-
7 BUDSMAN PROGRAM.—after “(9)””; and

8 (ii) by adding before the period “, and will
9 expend for such purpose not less than the total
10 amount so expended by the State agency in fis-
11 cal year 1991”; and

12 (B) by striking paragraph (21);

13 (12) by redesignating paragraph (13) as para-
14 graph (10), and amending such paragraph—

15 (A) by inserting “NUTRITION SERV-
16 ICES.—” after “(10)”;

17 (B) by striking subparagraphs (B) (pri-
18 mary consideration to congregate meals), (D)
19 (accessibility of congregate meal site), (E) (out-
20 reach), (H) (grandfathered providers of home-
21 delivered meals), and (M) (nonfinancial eligi-
22 bility criteria); and

23 (C)(i) by inserting “and” at the end of
24 subparagraph (K);

1 (ii) by striking “; and” at the end of sub-
2 paragraph (L) and inserting a period; and

3 (iii) by redesignating subparagraph (C)
4 and the remaining subparagraphs as subpara-
5 graphs (B) through (H);

6 (13) by striking paragraph (14) (restrictions on
7 use of funds under the Act for acquisition, alter-
8 ation, or construction of facilities);

9 (14)(A) by redesignating paragraph (15) as
10 paragraph (12), and amending such paragraph—

11 (i) by inserting “LEGAL ASSISTANCE.—”
12 after “(12)””; and

13 (ii)(I) by striking “and” at the end of sub-
14 paragraph (D); and

15 (II) by striking the period at the end of
16 subparagraph (E) and inserting “; and”; and

17 (B)(i) by amending paragraph (18) by striking
18 all that precedes “assign personnel” and inserting
19 “the State will”; and

20 (ii) by relocating and redesignating such para-
21 graph (18) as paragraph (12)(F);

22 (15) by redesignating paragraph (16) as para-
23 graph (13), and amending such paragraph by insert-
24 ing “PREVENTION OF ABUSE.—” after “(13)”;

1 (16) by striking paragraph (17) (in-service per-
2 sonnel training);

3 (17) by striking paragraph (19) (guarantees
4 that area agencies may give grants or contracts to
5 providers of education and training services);

6 (18) by redesignating paragraph (20) as para-
7 graph (14), and amending such paragraph by insert-
8 ing “OLDER INDIVIDUALS OF LIMITED ENGLISH-
9 SPEAKING ABILITY.—”;

10 (19) by redesignating paragraph (23) as para-
11 graph (15), and amending such paragraph by insert-
12 ing “SPECIAL NEEDS POPULATIONS.—” after
13 “(15)”;

14 (20) by redesignating paragraph (24) as para-
15 graph (16), and amending such paragraph by insert-
16 ing “OUTREACH.—” after “(16)”;

17 (21) by redesignating paragraph (25) as para-
18 graph (17), and amending such paragraph by insert-
19 ing “OLDER INDIVIDUALS WITH SEVERE DISABIL-
20 ITIES.—after “(17)”;

21 (22) by redesignating paragraph (26) as para-
22 graph (18), and amending such paragraph—

23 (A) by inserting “COMMUNITY-BASED
24 SERVICES.—(A) LONG-TERM CARE SERV-
25 ICES.—” after “(18)”;

1 (B) by striking “section 306(a)(6)(I)” and
2 inserting “section 306(a)(6)(D)”; (23) by relo-
3 cating and redesignating paragraph (44) as
4 paragraph (18)(B);

5 (24) by striking paragraph (27) (assurances
6 concerning part D in-home services program);

7 (25) by striking paragraph (28) (assurances
8 concerning part E special needs program);

9 (26) by redesignating paragraph (30) as para-
10 graph (19), and amending such paragraph by insert-
11 ing “TITLE VII PROGRAM.—” after “(19)”;

12 (27) by striking paragraph (31) (State volun-
13 teer services coordinator);

14 (28) by redesignating paragraph (32) as para-
15 graph (20), and amending such paragraph by insert-
16 ing “TECHNICAL ASSISTANCE TO PROVIDERS.—”
17 after “(20)”;

18 (29)(A) by redesignating paragraph (34) as
19 paragraph (21), and amending such paragraph by
20 inserting “OLDER NATIVE AMERICANS.—(A)” after
21 “(21)”;

22 (B) by redesignating subparagraph (A) and (B)
23 of paragraph (35) as clauses (i) and (ii), and redesi-
24 gnating and relocating such paragraph (35) as sub-
25 paragraph (B) of paragraph (21);

1 (30) by redesignating paragraph (36) as para-
 2 graph (22), and amending such paragraph by insert-
 3 ing “CASE MANAGEMENT PROVIDERS.—” after
 4 “(22)”;

5 (31) by striking paragraphs (38) and (39) (as-
 6 surances concerning use of funds);

7 (32) by striking paragraph (40) (assurances
 8 concerning part G program for inhome caretakers);

9 (33) by striking paragraph (41) (efforts to co-
 10 ordinate services and provide multigenerational ac-
 11 tivities); and

12 (34) by striking paragraph (42) (coordination
 13 of transportation services);

14 **SEC. 116. HEALTH CARE INFORMATION SYSTEMS.**

15 Section 307(a) (42 U.S.C. 3027(a)) (as previously
 16 amended) is amended by inserting after paragraph (10)
 17 the following new paragraph:

18 “(11) HEALTH CARE INFORMATION, COUN-
 19 SELING, ADVOCACY, AND COORDINATION.—

20 “(A) ASSURANCE.—The plan shall contain
 21 an assurance that the State agency will make
 22 demonstrable efforts—

23 “(i) to develop, arrange for, and oper-
 24 ate a system providing any one or more of

1 the services specified in subparagraph (B);
2 or

3 “(ii) to coordinate the provision, by
4 another entity or entities within the State,
5 of any one or more of such services.

6 “(B) SERVICES.—The services which may
7 be provided for under subparagraph (A)
8 include—

9 “(i) health care information services
10 to assist older individuals to make in-
11 formed health care choices;

12 “(ii) counseling of older individuals in
13 the selection of public and private health
14 care benefits, policies, and options;

15 “(iii) a health care ombudsman pro-
16 gram to provide health care advocacy and
17 assist vulnerable older individuals with
18 health care choices and appeals; and

19 “(iv) assistance to providers of nutri-
20 tion and supportive services and providers
21 of acute and chronic health care with re-
22 spect to identifying and meeting health
23 care needs of older individuals.”.

1 **SEC. 117. STATE OPTION FOR COST SHARING.**

2 (a) STATE PLAN REQUIREMENT.—Section 307(a)
3 (42 U.S.C. 3027(a)) (as previously amended) is amended
4 by adding at the end the following new paragraph:

5 “(23) STATE OPTION FOR COST SHARING.—If
6 the State elects to require cost sharing by recipients
7 of services under the State plan (or to require or
8 permit area agencies on aging to require cost shar-
9 ing by recipients of services under area plans), the
10 plan shall—

11 “(A) provide that no cost sharing shall be
12 required for—

13 “(i) information and assistance, out-
14 reach, or case management services;

15 “(ii) ombudsman or other protective
16 services; or

17 “(iii) congregate or home-delivered
18 nutrition services; and

19 “(B)(i) exempt from cost-sharing require-
20 ments individuals who declare that they have
21 incomes below a low-income threshold set by the
22 State, and

23 “(ii) set cost-sharing rates for individuals
24 with incomes above such threshold on a sliding-
25 fee scale based on income.”.

1 (b) AREA PLAN REQUIREMENT.—Section 306(a) (42
 2 U.S.C. 3026(a)) (as previously amended) is amended by
 3 adding at the end the following new paragraph:

4 “(12) provide assurances that any requirements
 5 for cost-sharing by recipients of services under the
 6 plan will be consistent with the provisions of the
 7 State plan under section 307(a)(23)’’.

8 **SEC. 118. STATE OPTION CONCERNING CONSUMER-DI-**
 9 **RECTED SERVICES.**

10 (a) STATE PLAN AMENDMENT.—Section 307(a) (42
 11 U.S.C. 3027(a)) (as previously amended by this Act) is
 12 further amended by adding at the end the following new
 13 paragraph:

14 “(24) STATE OPTION CONCERNING CON-
 15 SUMER-DIRECTED SERVICES.—The plan shall
 16 specify—

17 “(A) whether (and if so, with respect to
 18 which supportive or nutrition services) the State
 19 elects to permit area agencies on aging—

20 “(i) to provide services to older indi-
 21 viduals through direct contracts with the
 22 individuals delivering such services; or

23 “(ii) to provide vouchers or cash to
 24 older individuals to permit such older indi-
 25 viduals to contract with individuals or enti-

1 ties for the delivery of such services (and,
2 if so, any requirements for the setting of
3 payment rates or amounts);

4 “(B) the qualifications and other require-
5 ments that must be met by individuals and enti-
6 ties providing services under such arrange-
7 ments; and

8 “(C) whether (and, if so, the conditions
9 under which) services may be provided to an
10 older individual by a family member under such
11 an arrangement;

12 “(D) how the State will monitor activities
13 described in subparagraph (A)(ii) to ensure that
14 vouchers or cash are used for the purposes for
15 which they are provided; and

16 “(E) that the State agency will implement
17 procedures necessary to ensure appropriate
18 withholding and crediting of taxes and other
19 amounts from payments to individuals and enti-
20 ties providing consumer-directed services, in
21 compliance with applicable Federal and State
22 laws.”.

23 (b) CONFORMING AMENDMENT.—Section 210(b) (42
24 U.S.C. 302a(b)) is amended by inserting “(including any
25 cash or voucher provided in accordance with section

1 307(a)(24)(A)(ii)” before “may be treated as income or
2 benefits”.

3 **SEC. 119. STATE-AREA AGENCY SERVICE INNOVATION DE-**
4 **VELOPMENT PROJECTS.**

5 (a) PROJECTS AUTHORIZED.—Section 307 (42
6 U.S.C. 3027) is amended—

7 (1) in subsection (a), as previously amended by
8 this Act, by adding at the end the following new
9 paragraph:

10 “(25) STATE OPTION FOR SERVICE INNOVATION
11 DEVELOPMENT PROJECTS.—The plan shall state
12 whether the State elects to operate a program under
13 subsection (g), and if so shall provide the informa-
14 tion required by subsection (g)(2).”.

15 “(g) SERVICE INNOVATION DEVELOPMENT
16 PROJECTS.—

17 “(1) PROJECTS AUTHORIZED.—A State agency
18 may elect to implement a project or projects, in col-
19 laboration with one or more area agencies, to de-
20 velop, test, and implement innovative, cost-effective
21 methods of delivering to older individuals and their
22 families services that may be provided with funds
23 under this Act.

24 “(2) STATE PLAN REQUIREMENT.—The State
25 plan shall specify—

1 “(A) the service innovations to be devel-
2 oped and tested;

3 “(B) the area agencies that will partici-
4 pate;

5 “(C) the period during which the project
6 will be implemented;

7 “(D) the methodology to be used to evalu-
8 ate the results of the demonstration;

9 “(E) the amount of funds to be used; and

10 “(F) such other information as the Assist-
11 ant Secretary may require.

12 “(3) AVAILABILITY OF FUNDS.—

13 “(A) IN GENERAL.—The State agency may
14 reserve, from the total amount appropriated for
15 a fiscal year under subsections (a) and (b) of
16 section 303 and allotted to the State under sec-
17 tion 304, up to the greater of 4 percent of such
18 total amount or

19 “(i) \$300,000, in the case of each of
20 the fifty States, the District of Columbia,
21 and the Commonwealth of Puerto Rico;
22 and

23 “(ii) \$50,000, in the case of Guam,
24 the United States Virgin Islands, American

1 Samoa, and the Commonwealth of the
2 Northern Mariana Islands.

3 “(B) RESTRICTION.—Amounts available
4 under this subsection shall be used only for
5 costs of delivering services, and may not be
6 used for related administrative costs.”.

7 **SEC. 120. TRANSFER OF FUNDS BETWEEN PROGRAMS.**

8 (a) STREAMLINING OF GENERAL RULES.—Section
9 308(b) (42 U.S.C. 3028(b)) is amended—

10 (1) in paragraph (4)—

11 (A) by striking “(A)” after “(4)”; and

12 (B) by striking subparagraph (B) (Assist-
13 ant Secretary’s discretion to permit State to
14 transfer additional amounts between congregate
15 and home-delivered meal programs); and

16 (2) in paragraph (5) (authority to transfer
17 funds between nutrition and services programs), to
18 read as follows:

19 “(5) Of the funds received by a State for a fiscal year
20 from funds appropriated under subsections (a)(1), and
21 (b)(1) and (2), of section 303, the State may elect to
22 transfer not more than 20 percent between programs
23 under part B and part C, for use as the State considers
24 appropriate.

1 (b) WAIVER AUTHORITY.—For the Assistant Sec-
 2 retary’s authority to waive limitations on amounts trans-
 3 ferable between programs, see section 123 of this Act,
 4 adding a new section 314.

5 **SEC. 121. AVAILABILITY OF DISASTER RELIEF FUNDS TO**
 6 **TRIBAL ORGANIZATIONS.**

7 Section 310 (42 U.S.C. 3030) is amended—

8 (1) in subsection (a)(1)—

9 (A) by inserting “(or to any tribal organi-
 10 zation receiving a grant under title VI)” after
 11 “any State”; and

12 (B) by inserting “(or used by such tribal
 13 organization)” before “for the delivery of sup-
 14 portive services”;

15 (2) in subsection (a)(2), by inserting “and trib-
 16 al organizations” after “States”; and

17 (3) in subsection (a)(3), by inserting “or tribal
 18 organization” after “State” each place it appears;
 19 and

20 (4) in subsections (b)(1) and (c), by inserting
 21 “and tribal organizations” after “States”.

22 **SEC. 122. NUTRITION SERVICES INCENTIVE PROGRAM.**

23 (a) ADJUSTMENT OF ALLOTMENT FORMULA.—Sec-
 24 tion 311 (42 U.S.C. 3030a) is amended—

1 (1) in the caption, to read: “NUTRITION SERV-
2 ICES INCENTIVE PROGRAM”;

3 (2) by relocating and redesignating subsection
4 (a)(4)(B) as subsection (b)(4);

5 (3) by striking the balance of subsection (a)(4);

6 (4) by redesignating subsections (a), (b), (c),
7 and (d) as subsections (c), (d), (e), and (f), respec-
8 tively;

9 (5) by inserting after the caption the following
10 new subsections:

11 “(a) PURPOSE.—The purpose of the program under
12 this section is to enable the Secretary of Agriculture to
13 provide incentives to encourage and reward effective per-
14 formance by States and tribal organizations in the effi-
15 cient delivery of nutritious meals to older Americans.

16 “(b) NUTRITION SERVICES INCENTIVE PAYMENTS.—

17 “(1) IN GENERAL.—The Secretary shall allot
18 any pay, to each State agency with a plan approved
19 under this title for a fiscal year, and to each tribal
20 organization with an application approved under title
21 VI for such fiscal year, an amount bearing the same
22 ratio to the total amount appropriated for such fis-
23 cal year under subsection (e) as the number of meals
24 served in the State, under such plan approved for
25 the preceding fiscal year (or the number of meals

1 served by the tribal organization, under such appli-
2 cation approved for such preceding fiscal year),
3 bears to the total number of such meals served in
4 all States and by all tribal organizations under all
5 such plans and applications approved for such pre-
6 ceding fiscal year.

7 “(2) CALCULATION OF ALLOTMENT FOR CER-
8 TAIN TRIBAL ORGANIZATIONS.—For purposes of
9 paragraph (1), in the case of a tribal organization
10 that has a plan approved under title VI for a fiscal
11 year but that did not receive assistance under this
12 section for the preceding fiscal year, the number of
13 meals served by the tribal organization in the pre-
14 ceding fiscal year shall be deemed to equal the num-
15 ber of meals that the Assistant Secretary estimates
16 will be served by the tribal organization in the cur-
17 rent fiscal year.”; and

18 (6) in subsection (e), as redesignated, to read
19 as follows:

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—For
21 carrying out the purposes of this section (other than sub-
22 section (c)(1)), there are authorized to be appropriated
23 \$150,000,000 for fiscal year 2000 and such sums as may
24 be necessary for each of the four succeeding fiscal years.”.

1 (b) ELIMINATION OF MAINTENANCE OF EFFORT.—

2 Section 339A is repealed.

3 **SEC. 123. WAIVERS OF CERTAIN REQUIREMENTS FOR**
4 **STATE PROGRAMS.**

5 (a) GENERAL WAIVER AUTHORITY.—Part A of title
6 III (42 U.S.C. 3021 et seq.) is amended by adding at the
7 end the following new section:

8 **“SEC. 315. WAIVERS.**

9 “(a) IN GENERAL.—The Assistant Secretary may
10 waive any of the provisions enumerated in subsection (b)
11 with respect to a State, upon application by the State
12 agency containing or accompanied by documentation suffi-
13 cient to establish, to the satisfaction of the Assistant Sec-
14 retary, that—

15 “(1) approval of the States legislature has been
16 obtained or is not required;

17 “(2) the State agency has consulted with area
18 agencies on aging with respect to the proposal for
19 which waiver is sought;

20 “(3) such proposal has been made available for
21 public review and comment within the State (and a
22 summary of comments received shall be included
23 with the application); and

24 “(4) the State agency has given adequate con-
25 sideration to the probable positive and negative con-

1 sequences of approval of the waiver application, and
2 the probable benefits for older individuals can rea-
3 sonably be expected to outweigh any negative con-
4 sequences, or particular circumstances in the States
5 otherwise justify the waiver.

6 “(b) REQUIREMENTS SUBJECT TO WAIVER.—The
7 provisions of this title that may be waived under this sec-
8 tion are—

9 “(1) any provisions of section 305, 306, 307 re-
10 quiring statewide uniformity of programs under this
11 title, to the extent necessary to permit demonstra-
12 tions, in limited areas of a State, of innovative ap-
13 proaches to assist older individuals;

14 “(2) any area plan requirement under section
15 306(a);

16 “(3) any State plan requirement under section
17 307(a);

18 “(4) any restriction, under section 308(b) (4)
19 or (5), on the amount that may be transferred be-
20 tween programs under part B and part C, or be-
21 tween programs under subpart 1 and subpart 2 of
22 part C; and

23 “(5) all or any part of the reduction in allot-
24 ment required under section 309(c) with respect to
25 a State which reduces expenditures under its State

1 plan (but only to the extent that the non-Federal
2 share of expenditures is not reduced below any min-
3 imum specified in section 304(d) or any other provi-
4 sion of this title).

5 “(c) DURATION OF WAIVER.—The application by a
6 State agency for a waiver under this section shall include
7 a recommendation as to the duration of the waiver (not
8 to exceed the duration of the State plan). The Assistant
9 Secretary, in granting any waiver, shall specify the dura-
10 tion of the waiver, which may be the duration rec-
11 ommended by the State agency or such shorter time period
12 as the Assistant Secretary finds appropriate.

13 “(d) REPORTS TO SECRETARY.—The State agency
14 shall make to the Assistant Secretary, with respect to each
15 waiver granted under this section, not later than one year
16 after the expiration of such waiver, and at any times dur-
17 ing the waiver period that the Assistant Secretary may
18 require, concerning the impact of the waiver on the oper-
19 ation and effectiveness of programs and services under
20 this title in the State.”.

21 (b) CONFORMING AMENDMENTS.—

22 (1) Section 207(a) (42 U.S.C. 3018(a)) is
23 amended—

24 (A) by striking paragraph (3); and

1 (B) by redesignating paragraphs (4) and
 2 (5) as paragraphs (3) and (4), respectively.

3 (2) Section 307(b) (42 U.S.C. 3027(b)) is
 4 amended—

5 (A) by striking paragraph (2) (waiver of
 6 maintenance of effort for rural areas); and

7 (B) by striking “(1)” after “(b)”.

8 **SEC. 124. CONSOLIDATION AND REVISION OF AUTHORITIES**
 9 **FOR SUPPORTIVE SERVICES AND SENIOR**
 10 **CENTERS.**

11 (a) ASSISTANCE IN OBTAINING HOUSING.—Section
 12 321(a)(4) (42 U.S.C. 3030d(a)(4)) is amended by striking
 13 “or (D)” and all that follows and inserting “or (D) to
 14 assist older individuals to obtain housing assisted under
 15 programs of the Department of Housing and Urban De-
 16 velopment;”.

17 (b) COMMUNITY-BASED CARE AND SERVICES.—Sec-
 18 tion 321(a)(5) (42 U.S.C. 3030d(a)(5)) is amended by
 19 striking “including” and all that follows and inserting
 20 “including—

21 “(A) client assessment, case management,
 22 and development and coordination of commu-
 23 nity services;

24 “(B) in-home services for frail older indi-
 25 viduals (including supportive services for vic-

1 tims of Alzheimer’s disease and related dis-
2 orders with neurological and organic brain dys-
3 function, and for the families of such individ-
4 uals);

5 “(C) supportive activities to meet the spe-
6 cial needs of caregivers, including caretakers
7 who provide in-home services to frail older indi-
8 viduals;

9 “(D) in-home and other community serv-
10 ices, including home health, homemaker, shop-
11 ping, escort, reader, and letter writing services,
12 to assist older individuals to live independently
13 in a home environment;”.

14 (c) EMPLOYMENT-RELATED PROGRAMS.—Section
15 321(a)(12) (42 U.S.C. 3030d(a)(12)) is amended by add-
16 ing before the semicolon”, including coordination with pro-
17 grams administered or assisted by the Department of
18 Labor”.

19 (d) GENERAL AUTHORITY.—Section 321(a)(22) (42
20 U.S.C. 3030d(a)(22)) is amended by inserting “necessary
21 for the general welfare of older individuals” after “any
22 other services”.

23 (e) RELOCATION OF DEFINITIONS.—

24 (1) Section 342 (42 U.S.C. 3030i) (definition of
25 “in-home services”) is relocated and redesigned as

1 paragraph (46) of section 102 (42 U.S.C. 3002),
2 and is amended by striking “For purposes of this
3 part, the term” and inserting “The term”.

4 (2) Section 363 (42 U.S.C. 3030o) (definition
5 of “disease prevention and health promotion serv-
6 ices”) is relocated and redesignated as paragraph
7 (47) of section 102, and is amended by striking
8 “For purposes of this part, the term” and inserting
9 “The term”.

10 (f) REPEAL OF SUPERSEDED AUTHORITIES.—

11 (1) SUBSTANTIVE AUTHORITY.—Part (D) (In-
12 Home Services for Frail Older Individuals), part E
13 (Additional Assistance for Special Needs of Older
14 Individuals), and part G (Supportive Activities for
15 Caretakers Who Provide In-Home Services to Frail
16 Order Individuals) (42 U.S.C. 3030h, et seq., 3030l,
17 et seq., and 3030p, et seq., respectively) are re-
18 pealed.

19 (2) AUTHORIZATION OF APPROPRIATIONS.—(A)
20 REPEALS; REDESIGNATION.—Section 303 (42
21 U.S.C. 3022) is amended by striking subsections
22 (d), (e), and (g), and by redesignating subsections
23 (f) and (h) as subsections (e) and (f), respectively.

24 (B) CONFORMING AMENDMENT.—Sections
25 202(a)(24) (42 U.S.C. 3012(a)(24)) and 304(b)(2)

1 (42 U.S.C. 3024(b)(2)) are each amended by strik-
2 ing “303(h)” and inserting “303(f)”.

3 **SEC. 125. CONSOLIDATION OF AUTHORITIES FOR NUTRI-**
4 **TION SERVICES.**

5 (a) SCHOOL-BASED MEALS AS CONGREGATE NUTRI-
6 TION SERVICES.—

7 (1) Section 331 (42 U.S.C. 3030e) is amended
8 by inserting “(a) IN GENERAL.—” after “331.”.

9 (2) Section 338(a) (42 U.S.C. 3030g–11(a)) is
10 relocated and redesignated as subsection (b) of sec-
11 tion 331, and is amended, in the matter preceding
12 paragraph (1), by striking all that precedes
13 “projects” and inserting instead the following:

14 “(b) SCHOOL-BASED MEALS AND MULTI-
15 GENERATIONAL PROGRAMS.—The State may include, in
16 programs under this section,”.

17 (b) REPEAL OF SUPERSEDED AUTHORITY.—

18 (1) SUBSTANTIVE AUTHORITY.—Part C of title
19 III (42 U.S.C. 3030e et seq.) is amended by striking
20 subpart 3 and redesignating subpart 4 as subpart 3.

21 (2) AUTHORIZATION OF APPROPRIATIONS.—
22 Section 303(b)(3) (42 U.S.C. 3023(b)(2)) is re-
23 pealed.

1 **SEC. 126. NATIONAL FAMILY CAREGIVER SUPPORT PRO-**
2 **GRAM.**

3 (a) ESTABLISHMENT OF PROGRAM.—Part D of title
4 III (42 U.S.C. 3030h et seq.) is amended to read as fol-
5 lows:

6 **“PART D—NATIONAL FAMILY CAREGIVER**
7 **SUPPORT PROGRAM**

8 **“Subpart 1—State Grant Program**

9 **“SEC. 341. PROGRAM AUTHORIZED.**

10 “(a) IN GENERAL.—The Assistant Secretary shall
11 carry out a program under this subpart for making grants
12 to States under State plans approved under section 307
13 for multi-faceted systems of support for families and other
14 informal providers of in-home and community care to
15 older individuals.

16 “(b) COORDINATION WITH SERVICE PROVIDERS.—
17 In carrying out the provisions of this supart, each area
18 agency on aging shall coordinate with other community
19 agencies and voluntary organizations providing the types
20 of services for which funding is available under this sub-
21 part.

22 “(c) FAMILY CAREGIVER SUPPORT SERVICES.—The
23 services provided in a State program under this subpart
24 shall include—

25 “(1) provision of information to caregivers
26 about available services;

1 “(2) assistance to caregivers in gaining access
2 to such services;

3 “(3) individual counseling, organization of sup-
4 port groups, and provision of caregiver training to
5 help families make decisions and solve problems re-
6 lating to their caregiving roles;

7 “(4) respite care to enable families and other
8 informal caregivers to be temporarily relieved from
9 their caregiving responsibilities; and

10 “(5) provision of supplemental services, on a
11 limited basis, to complement the care provided by
12 families and other informal caregivers.

13 “(d) ELIGIBILITY.—In order for the caregiver or
14 caregivers of an older individual to be eligible to receive
15 services provided by a State program under this subpart,
16 the State must—

17 “(1) determine that the older individual meets
18 the condition specified in either subparagraph (A)(i)
19 or (B) of section 102(28); and

20 “(2) give priority for services to older individ-
21 uals and families with the greatest social and eco-
22 nomic need, consistent with the requirements of sec-
23 tion 305(a)(2)(E).

24 “(e) QUALITY STANDARDS AND ACCOUNTABILITY.—

1 “(1) The State shall have in place mechanisms
2 designed to assure the quality of services provided
3 with assistance under this subpart.

4 “(2) The State shall collect data and furnish
5 records at the times and in the standardized format
6 that the Assistant Secretary may require in order to
7 enable the Assistant Secretary to monitor State pro-
8 gram administration and compliance, and to evalu-
9 ate and compare the effectiveness of State programs
10 under this subpart.

11 “(3) The State shall report to the Assistant
12 Secretary on the data and information required
13 under section 341(e)(2), including the services and
14 activities funded under this subpart, and standards
15 and methods by which the quality of services shall
16 be assured.

17 “(f) STATE OPTION FOR COST SHARING.—

18 “(1) IN GENERAL.—A State may elect to re-
19 quire cost sharing under this subpart for services de-
20 scribed in paragraphs (4) and (5) of subsection (a)
21 (or to require or permit area agencies on aging to
22 require cost sharing by recipients of such services
23 under area plans), but—

1 “(A) individuals with incomes below the
2 Federal poverty line shall be exempt from cost-
3 sharing requirements; and

4 “(B) cost-sharing rates for individuals with
5 incomes above such threshold shall be set on a
6 sliding-fee scale based on income.

7 “(2) ASSISTANT SECRETARY APPROVAL.—Fee
8 scales imposed under this subsection are subject to
9 approval by the Assistant Secretary.

10 “(3) REPORTING REQUIRED IF FEE SCHEDULE
11 NOT USED.—A State electing not to require or per-
12 mit fees pursuant to this subsection shall report to
13 the Assistant Secretary on the alternative methods
14 used by the State to satisfy the requirement of sec-
15 tion 305(a)(2)(E) to give priority to individuals with
16 greatest economic and social need.

17 “(g) AVAILABILITY OF FUNDS.—

18 “(1) IN GENERAL.—The program under this
19 subpart shall be carried out with the balance of
20 funds appropriated under section 303(d) remaining
21 after reservation of funds under sections 345 and
22 346 for carrying out subpart 2.

23 “(2) USE OF FUNDS FOR ADMINISTRATION OF
24 AREA PLANS.—Amounts made available to a State
25 under this subpart may be used, in addition to

1 amounts available in accordance with section
 2 303(c)(1), for costs of administration of area plans.

3 “(3) FEDERAL SHARE.—

4 “(A) Notwithstanding section
 5 304(d)(1)(D), amounts made available to a
 6 State under this subpart shall be available to
 7 pay not more than 75 percent of the costs of
 8 services provided under this subpart.

9 “(B) Federal funds and cost sharing by re-
 10 cipients of services provided under this subpart
 11 cannot be used for the non-Federal share of
 12 funds under this subpart.

13 **“SEC. 342. MAINTENANCE OF EFFORT.**

14 “Funds made available under this subpart shall be
 15 in addition to, and may not be used to supplant, any funds
 16 that are or would otherwise be expended under any Fed-
 17 eral, State, or local law by a State or unit of general pur-
 18 pose local government (including area agencies on aging)
 19 which have in their planning and service areas existing
 20 services equivalent to the services which may be funded
 21 under this subpart.

22 **“Subpart 2—National Innovation Programs**

23 **“SEC. 345. INNOVATION GRANT PROGRAM.**

24 “(a) IN GENERAL.—The Assistant Secretary shall
 25 carry out a program for making grants on a competitive

1 basis to foster the development and testing of new ap-
 2 proaches to sustaining the efforts of families and other
 3 informal caregivers of older individuals, and to serving
 4 particular groups of caregivers of older individuals, includ-
 5 ing minority caregivers and distant caregivers.

6 “(b) EVALUATION AND DISSEMINATION OF RE-
 7 SULTS.—The Assistant Secretary shall provide for evalua-
 8 tion of the effectiveness of programs and activities funded
 9 with grants under this subpart, and for dissemination to
 10 States of descriptions and evaluations of such programs
 11 and activities, to enable States to incorporate successful
 12 approaches into their programs under this part.

13 “(c) AVAILABILITY OF FUNDS.—

14 “(1) IN GENERAL.—The Assistant Secretary
 15 shall reserve up to 10 percent of the amount appro-
 16 priated under section 303(d) to carry out the pro-
 17 gram under this section.

18 “(2) NATIVE AMERICAN PROGRAMS.—20 per-
 19 cent of the amount reserved under paragraph (1)
 20 shall be available for programs and activities for Na-
 21 tive Americans.

22 **“SEC. 346. ACTIVITIES OF NATIONAL SIGNIFICANCE.**

23 “(a) IN GENERAL.—The Assistant Secretary shall,
 24 directly or by grant or contract, carry out activities of na-
 25 tional significance to promote quality and continuous im-

1 provement in the support provided to family and other in-
2 formal caregivers of older individuals through program
3 evaluation, training, technical assistance, and research.

4 “(b) AVAILABILITY OF FUNDS.—The Assistant Sec-
5 retary shall reserve up to 2 percent of the amount appro-
6 priated under section 303(d) to carry out the program
7 under this section.”.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
9 303 (as amended by section 124(d)(2) of this Act) is
10 amended by adding after subsection (c) the following new
11 subsection:

12 “(d) NATIONAL FAMILY CAREGIVER PROGRAM.—
13 There are authorized to be appropriated \$125,000,000 for
14 fiscal year 2000, and such sums as may be necessary for
15 each of the four succeeding fiscal years, to carry out the
16 programs under part D of this title (relating to the na-
17 tional family caregiver program).”.

18 (c) ALLOTMENTS TO STATES.—Section 304(a)(1) is
19 amended in the first sentence by inserting “remaining
20 after reservations of funds in accordance with sections 345
21 and 346” after “from the sums appropriated under sec-
22 tion 303 for each fiscal year”.

23 (d) AVAILABILITY OF TITLE III–D FUNDS FOR RE-
24 ALLOTMENT.—Section 304(b) is amended in the first sen-

1 tence by striking “part B or C” and inserting “part B,
2 C, or D”.

3 **SEC. 127. AUTHORIZATION OF APPROPRIATIONS.**

4 (a) SUPPORTIVE SERVICES AND SENIOR CENTERS.—
5 Section 303(a)(1) (42 U.S.C. 3023(a)(1)) is amended by
6 striking all that precedes “for the purposes” and inserting
7 “There are authorized to be appropriated \$310,082,000
8 for fiscal year 2000 and such sums as may be necessary
9 for each of the four succeeding fiscal years,”.

10 (b) CONGREGATE NUTRITION SERVICES.—Section
11 303(b)(1) is amended by striking all that precedes “for
12 the purpose” and inserting “There are authorized to be
13 appropriated \$374,412,000 for fiscal year 2000 and such
14 sums as may be necessary for each of the four succeeding
15 fiscal years,”.

16 (c) HOME-DELIVERED NUTRITION SERVICES.—Sec-
17 tion 303(b)(2) (42 U.S.C. 3023(b)(2)) is amended by
18 striking all that precedes “for the purpose” and inserting
19 “There are authorized to be appropriated \$147,000,000
20 for fiscal year 2000 and such sums as may be necessary
21 for each of the four succeeding fiscal years,”.

22 (d) PREVENTIVE HEALTH SERVICES.—Section
23 303(e) (as redesignated by section 124 of this Act) is
24 amended by striking all that precedes “for the purpose”
25 and inserting “There are authorized to be appropriated

1 \$16,123, 000 for fiscal year 2000 and such sums as may
 2 be necessary for each of the four succeeding fiscal years,”.

3 **PART C—STATE AND LOCAL INNOVATIONS AND**
 4 **PROGRAMS OF NATIONAL SIGNIFICANCE**

5 **SEC. 141. REVISION OF TITLE IV.**

6 Title IV is amended—

7 (1) in the heading, to read as follows:

8 **“TITLE IV—STATE AND LOCAL**
 9 **INNOVATIONS AND PRO-**
 10 **GRAMS OF NATIONAL SIG-**
 11 **NIFICANCE”;**

12 (2) in section 401, to read as follows:

13 **“SEC. 401. STATEMENT OF PURPOSE.**

14 It is the purpose of this title to expand the Nation’s
 15 knowledge and understanding of the older population and
 16 the aging process; to design, test, and promote utilization
 17 of innovative ideas and best practices in programs and
 18 services for older individuals; to help meet the needs for
 19 trained personnel in the field of aging; and to increase
 20 the awareness of citizens of all ages of the need to assume
 21 personal responsibility for their own longevity.”;

22 (3) by striking parts A and B in their entirety and
 23 inserting the following new part:

“PART A—PROGRAMS AND ACTIVITIES

AUTHORIZED

“SEC. 410. DISCRETIONARY PROJECTS AND PROGRAMS.

“In order to accomplish the purpose of this title, the Assistant Secretary may make grants to States, public or nonprofit private agencies, organizations, and institutions, and tribal organizations, and may enter into contracts with any agency, organization, institution, or individual for the following activities—

“(1) education and training to develop an adequately trained workforce to work with and on behalf of older individuals;

“(2) applied social research and analysis to improve access and delivery of services for older individuals, as well as evaluation of the performance and measurement of the results of programs, activities, and services provided under this Act;

“(3) developments of methods and practices to improve quality and effectiveness of such services;

“(4) demonstration of new approaches to design, deliver, and coordinate programs and services for older individuals;

“(5) technical assistance in planning, development, implementation, and improvement of services and activities conducted under this Act;

1 “(6) dissemination of information related to
 2 longevity and its ramifications for various segments
 3 of the elderly population, life course planning, and
 4 services and programs for older individuals that in-
 5 corporates new ideas, utilizes advances in our knowl-
 6 edge, and stimulates the adoption of innovative best
 7 practices to benefit older individuals; and

8 “(7) other similar activities that, in the judg-
 9 ment of the Assistant Secretary, will achieve the
 10 purposes of this title.”;

11 (4) by redesignating part C as part B; and

12 (5) by redesignating sections 431, 432, and
 13 433, respectively, (42 U.S.C. 3037, 3037a and
 14 3037b, respectively) as sections 421, 422, and 423.

15 **SEC. 142. AUTHORIZATION OF APPROPRIATIONS.**

16 Section 421 (42 U.S.C. 3035) (as redesignated by
 17 section 141 of this Act) is amended—

18 (1) in subsection (a), to read as follows:

19 “(a) AUTHORIZATIONS.—

20 “(1) IN GENERAL.—There are authorized to be
 21 appropriated to carry out this title \$22,000,000 for
 22 fiscal year 2000 and such sums as may be necessary
 23 for each of the succeeding fiscal years.

24 “(2) NATIONAL OMBUDSMAN AND ELDER
 25 ABUSE CENTERS.—Funds available under this sub-

1 section may be used, to the extent the Assistant Sec-
2 retary finds necessary.”;

3 (2) by striking subsection (b); and

4 (3) in subsection (c), by striking “(c)” and in-
5 serting “(b) RESTRICTIONS.—”.

6 **PART D—COMMUNITY SERVICE EMPLOYMENT**
7 **FOR OLDER AMERICANS**

8 **SEC. 151. PURPOSES OF PROJECTS.**

9 Section 502(a) (42 U.S.C. 3056(a)) is amended—

10 (1) by inserting “(1)” after “SEC. 502. (a)”;

11 and

12 (2) by inserting at the end the following new
13 paragraph:

14 “(2) To foster individual economic self-sufficiency
15 and to increase the number of persons who may enjoy the
16 benefits of the program, the Secretary shall encourage
17 projects to place participants in unsubsidized employ-
18 ment.”.

19 **SEC. 152. PROGRAM AUTHORIZED.**

20 (a) **PROJECT REQUIREMENTS.**—Section 502(b)(1)
21 (42 U.S.C. 3056(b)(1)) is amended—

22 (1) in subparagraph (H), by inserting in the
23 parenthetical clause after “including” the following:

24 “arrangements with the local one-stop delivery sys-

tem established under title I of the Workforce Investment Act of 1998 and”;

(2) in subparagraph (N)(i)—

(A) by striking all that follows “will” through “except” and inserting “prepare an assessment of the participants’ skills and talents and their needs for services, except”; and

(B) by striking “the Job Training Partnership Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 3201 et seq.)” and inserting “the Workforce Investment Act of 1998, the Carl D. Perkins Vocational and Technical Education Act of 1998, or part A of title IV of the Social Security Act”; and

(3) by striking subparagraph (O) and inserting the following:

“(O) will provide appropriate services for participants through the local one-stop delivery system established under title I of the Workforce Investment Act of 1998, and will be involved in the planning and operations of such system pursuant to a memorandum of understanding with the local workforce investment

1 board in accordance with section 121(c) of such
2 Act; and”.

3 (b) ASSESSMENTS.—Section 502(b) (42 U.S.C.
4 3056(b)) is further amended—

5 (1) by striking paragraph (4);

6 (2) by redesignating paragraphs (2) and (3) as
7 paragraphs (3) and (4), respectively, and by insert-
8 ing after paragraph (1) the following new para-
9 graph:

10 “(2)(A) An assessment and service strategy
11 provided for an eligible individual under this title
12 shall satisfy any conditions for an assessment or in-
13 dividual employment plan for an adult participant
14 under title I of the Workforce Investment Act of
15 1998, in order to determine whether such individual
16 qualifies for intensive training services in accordance
17 with such Act.

18 “(B) An assessment and service strategy pro-
19 vided for an eligible individual under title I of the
20 Workforce Investment Act of 1998 shall satisfy any
21 conditions for an assessment and service strategy
22 under this title.”; and

23 (3) in paragraph (4) (as so redesignated), by
24 striking “prime sponsors,”.

1 (c) COST LIMITATIONS.—Section 502(c)(3) (42
2 U.S.C. 3056(c)(3)) is amended by striking “for fiscal year
3 1987 and each fiscal year thereafter” and inserting “for
4 any fiscal year”.

5 (d) DISTRIBUTION OF PROGRAMS.—Section 502(d)
6 (42 U.S.C. 3056(d)) is amended—

7 (1) in paragraph (1), by striking “sponsor”
8 each place it appears and inserting “grantee”; and

9 (2) in the last sentence of paragraph (2), by
10 striking all that follows “opportunity” and inserting
11 “for public comments”.

12 (e) MISCELLANEOUS.—Section 502(e) (42 U.S.C.
13 3056(e)) is amended—

14 (1) by amending paragraph (2)(C) to read as
15 follows:

16 “(C) require the coordination of projects
17 carried out under such agreements, with the
18 programs carried out under title I of the Work-
19 force Investment Act of 1998.”; and

20 (2) by striking paragraphs (3) and (4).

21 (f) EVALUATION REQUIREMENT.—Section 502 (42
22 U.S.C. 3056) is further amended by inserting at the end
23 the following new subsection:

24 “(f) The Secretary shall, on a regular basis, carry out
25 evaluations of the programs authorized under this title,

1 which may include but are not limited to projects de-
 2 scribed in subsection (e).”.

3 **SEC. 153. ADMINISTRATION.**

4 (a) COORDINATION.—Section 503 (42 U.S.C. 3056a)
 5 is amended—

6 (1) in subsections (a)(2) and (b)(1), by striking
 7 “titles III, IV, and VI” each place it appears and in-
 8 serting “other titles of this Act”;

9 (2) in subsection (b)(1)—

10 (A) by striking “Job Training Partnership
 11 Act” each place it appears and inserting
 12 “Workforce Investment Act of 1998”; and

13 (B) by striking “Vocational Education Act
 14 of 1984” each place it appears and inserting
 15 “the Carl D. Perkins Vocational and Technical
 16 Education Act of 1998, the National and Com-
 17 munity Services Act of 1990, and the Domestic
 18 Volunteer Service Act of 1973,”; and

19 (3) by amending subsection (f) to read as fol-
 20 lows:

21 “(f) MONITORING, FISCAL CONTROLS, AND RE-
 22 PORTS.—

23 “(1) MONITORING.—The Secretary shall mon-
 24 itor programs receiving financial assistance under
 25 this title to determine whether the grantees are com-

1 plying with the provisions of and regulations issued
2 under this title.

3 “(2) FISCAL CONTROLS.—Each grantee receiv-
4 ing funds under this title shall comply with the ap-
5 plicable uniform cost principles and appropriate ad-
6 ministrative requirements for grants and contracts
7 that are applicable to the type of entity receiving
8 funds, as issued in circulars or rules of the Office
9 of Management and Budget.

10 “(3) REPORTS.—Each grantee shall maintain
11 such records and submit such reports, in such form
12 and containing such information, as the Secretary
13 may require regarding activities carried out under
14 this title, including the performance of programs.
15 Each grantee receiving funds under this title shall
16 keep records that are sufficient to permit the prepa-
17 ration of reports required pursuant to this title and
18 to permit the tracing of funds to a level of expendi-
19 ture adequate to ensure that the funds have not
20 been spent unlawfully.”.

21 (b) INTERAGENCY COOPERATION.—Section 505 (42
22 U.S.C. 3056c) is amended—

23 (1) by striking subsection (c);

24 (2) by redesignating subsection (d) as sub-
25 section (c); and

1 (3) in paragraph (2) of such subsection (c) (as
 2 so redesignated), by striking “Carl D. Perkins Voca-
 3 tional and Applied Technology Education Act (20
 4 U.S.C. 2301 et seq.)” and inserting “Carl D. Per-
 5 kins Vocational and Technical Education Act of
 6 1998”.

7 **SEC. 154. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

8 (a) DISTRIBUTION OF FUNDS.—Section 506 (42
 9 U.S.C. 3056d) is amended by striking all that precedes
 10 subsection (b) and inserting the following:

11 **“SEC. 506. EQUITABLE DISTRIBUTION OF ASSISTANCE.**

12 “(a) FUNDS RESERVED OR ALLOTTED.—

13 “(1) From the sums available from appropria-
 14 tions to carry out this title for each fiscal year, 78
 15 percent of the amount remaining after the Secretary
 16 makes the reservation under paragraph (3) shall be
 17 used in accordance with the provisions of the fol-
 18 lowing subparagraphs:

19 “(A) The Secretary shall first reserve such
 20 sums as may be necessary for national grants
 21 or contracts with public agencies and public or
 22 nonprofit private organizations to maintain the
 23 level of activities carried on under such grants
 24 or contracts, in the aggregate, at least at the

1 level of such activities supported under this title
2 in the preceding year.

3 “(B) The Secretary shall reserve such
4 sums as may be necessary for national grants
5 or contracts with public or nonprofit national
6 Indian aging organizations with the ability to
7 provide employment services to older Indians
8 and with national public or nonprofit Pacific Is-
9 land and Asian American aging organizations
10 with the ability to provide employment to older
11 Pacific Island and Asian Americans.

12 “(C) Preference in awarding grants or con-
13 tracts under this paragraph shall be given to
14 national organizations, and agencies, of proven
15 ability in providing employment services to eligi-
16 ble individuals under this program and similar
17 programs.

18 “(2) The Secretary, in awarding grants and
19 contracts under paragraphs (1) and (4) of this sub-
20 section, shall, to the extent feasible, assure an equi-
21 table distribution of activities under such grants and
22 contracts among the States, in accordance with the
23 allotments among the States required by paragraph
24 (5).

1 “(3) From the sums available from appropria-
2 tions to carry out this title for each fiscal year, the
3 Secretary shall reserve an amount, which shall be at
4 least 1 percent but not more than 5 percent of the
5 amount appropriated, for the purpose of—

6 “(A) entering into agreements under sec-
7 tion 502(e), relating to improved transition to
8 private employment; and

9 “(B) incentive grants for performance as
10 described in section 514(d).

11 “(4) From the sums available from appropria-
12 tions to carry out this title for each fiscal year, 22
13 percent of the amount remaining after the Secretary
14 makes the reservation under paragraph (3) shall be
15 allotted to the appropriate public agencies of the
16 States for carrying out projects and activities au-
17 thorized in this title.

18 “(5) In carrying out paragraphs (1) and (4),
19 the Secretary shall allot the sums available from ap-
20 propriations for any fiscal year under section 508 of
21 this title so that each State will receive an amount
22 which bears the same ratio to such sums as the
23 product of the number of persons aged fifty-five or
24 over in the State and the allotment percentage of

1 such State bears to the sum of the corresponding
2 product for all States, except that—

3 “(A) no State (except as described in sub-
4 paragraph (C)) shall be allotted less than one-
5 half of 1 percent of the sum available from ap-
6 propriations for the fiscal year for which the de-
7 termination is made, or \$100,000, whichever is
8 greater;

9 “(B) no State shall be allotted less than 95
10 percent of its proportionate share of the total
11 allotments received by all of the States under
12 this section for the preceding fiscal year; and

13 “(C) Guam, American Samoa, the Com-
14 monwealth of the Northern Mariana Islands,
15 and the Virgin Islands shall each be allotted an
16 amount which is not less than one-fourth of 1
17 percent of the sums available from appropria-
18 tions for the fiscal year for which the deter-
19 mination is made, or \$50,000, whichever is
20 greater.

21 “(6) For the purpose of this subsection—

22 “(A) the allotment percentage of each
23 State shall be 100 percent less than percentage
24 which bears the same ratio to 50 percent as
25 the per capita income of such State bears to the

1 per capita income of the United States, except
2 that (i) the allotment percentage shall in no
3 case be more than 75 percent or less than 33
4 percent, and (ii) the allotment percentage for
5 the District of Columbia, the Commonwealth of
6 Puerto Rico, Guam, the Virgin Islands, Amer-
7 ican Samoa, and the Commonwealth of the
8 Northern Mariana Islands shall be 75 percent;

9 “(B) the number of persons aged fifty-five
10 or over in any State and in all States, and the
11 per capita income in any State and in all
12 States, shall be determined by the Secretary on
13 the basis of the most satisfactory data available
14 to the Secretary; and

15 “(C) for the purpose of determining the al-
16 lotment percentage, the term “United States”
17 means the fifty States and the District of Co-
18 lumbia.”.

19 (b) STUDY AND REPORT.—Section 506 (42 U.S.C.
20 3056d) is further amended by inserting at the end the fol-
21 lowing new subsections:

22 “(e) After consulting with grantees under this title
23 and other interested parties, the Secretary shall conduct
24 a study concerning improvement in the formula described
25 in this section for distributing funds for activities under

1 this title. In conducting the study, the Secretary shall ex-
 2 amine means of improving the allocation of funds by devel-
 3 oping a formula which is based on statistically reliable
 4 data and consistent with the goals and objectives of this
 5 title. The Secretary shall prepare and submit to the Con-
 6 gress a report containing the results of the study, includ-
 7 ing recommendations for improved formulas for allocating
 8 funds under this title. Such report shall be submitted to
 9 the Congress no later than 2 years after the enactment
 10 of the Older Americans Act Amendments of 1999.

11 “(f) The Secretary shall periodically conduct an eval-
 12 uation of cost factors applicable under this title, including
 13 the average annual cost per authorized enrollee position.”.

14 **SEC. 155. AUTHORIZATION OF APPROPRIATIONS.**

15 Section 508 (42 U.S.C. 3056f) is amended—

16 (1) in subsection (a), by striking paragraph (1)
 17 and inserting the following:

18 “(1) such sums as may be necessary for fiscal
 19 year 2000, and each of the 4 succeeding fiscal years;
 20 and”;

21 (2) in subsection (b), by striking “used” and in-
 22 serting “available for obligation”, and by striking
 23 the last sentence; and

24 (3) by inserting at the end of such section the
 25 following new subsection:

1 “(c) The Secretary may recapture any unexpended
2 funds from a completed program year, and may re-obli-
3 gate any such funds within the two succeeding program
4 years for incentive grants under section 514(d), for tech-
5 nical assistance, or for grants or contracts for any other
6 program purpose authorized by this title.”.

7 **SEC. 156. WORKFORCE INVESTMENT ACTIVITIES.**

8 Section 510 (42 U.S.C. 3056h) is amended to read
9 as follows:

10 **“SEC. 510. ELIGIBILITY FOR WORKFORCE INVESTMENT AC-**
11 **TIVITIES.**

12 “Eligible individuals under this title may be deemed
13 by local workforce investment boards established under
14 title I of the Workforce Investment Act of 1998 to satisfy
15 the requirements for receiving services under such title
16 that are applicable to adults.”.

17 **SEC. 157. ADDITIONAL PROVISIONS.**

18 Title V (42 U.S.C. 3056 et seq.) is further amended
19 by inserting at the end thereof the following new sections:

20 **“SEC. 512. COORDINATION WITH THE WORKFORCE INVEST-**
21 **MENT ACT.**

22 “(a) Grantees under this title shall be partners as de-
23 scribed in section 121(b)(1)(B)(vi) of the Workforce In-
24 vestment Act of 1998 in the appropriate local one-stop de-

1 livery system under section 134(c) of such Act, and shall
2 carry out the responsibilities relating to such partners.

3 “(b) In local workforce investment areas where more
4 than one grantee provides services, the grantees shall co-
5 ordinate their activities related to the one-stop delivery
6 system, and each grantee shall be a signatory of the
7 memorandum of understanding established under section
8 121(c) of the Workforce Investment Act of 1998.

9 **“SEC. 513. WAIVERS.**

10 “(a) IN GENERAL.—Pursuant to a written request
11 submitted by a grantee receiving funds under paragraph
12 (1), (3), or (4) of section 506(a), the Secretary may waive
13 any of the statutory or regulatory requirements of this
14 title except the basic purposes of the program, wage and
15 labor standards, worker rights, participation and protec-
16 tion of workers and participants, grievance procedures, ju-
17 dicial review, and eligibility of participants.

18 “(b) REQUEST.—Any grantee seeking a waiver under
19 subsection (a) shall submit a request that describes the
20 goals of the waiver and the expected improvements in the
21 program if the request is approved.

22 “(c) DURATION.—The duration of each waiver ap-
23 proved under this section shall be limited to the duration
24 of the grant agreement. Such waiver may be renewed pur-

1 suant to approval of a subsequent request that meets the
2 requirements of this section.

3 “(d) REPORT.—With respect to each waiver approved
4 under this section, each grantee shall submit a report to
5 the Secretary concerning the impact of the waiver on the
6 operation and effectiveness of programs and services
7 under this title. Such reports shall be submitted not later
8 than one year after the expiration of such waiver, and at
9 such times during the waiver period as the Secretary may
10 require.

11 **“SEC. 514. PERFORMANCE.**

12 “(a) MEASURES.—The Secretary shall establish, in
13 consultation with grantees under this title, measures of
14 performance that are appropriate to older worker activities
15 authorized by this title. The measures shall consist of indi-
16 cators of performance and levels of performance applicable
17 to each indicator. The levels of performance shall be ad-
18 justed by taking into account such factors as economic
19 conditions and the characteristics of participants.

20 “(b) REQUIRED INDICATORS.—Such measures shall
21 include, at a minimum, the following indicators of per-
22 formance:

23 “(1) the number of persons served;

24 “(2) community services provided;

“(4) satisfaction of customers, including participants and employers, with the services provided in activities under this title.

11 “(d) INCENTIVE GRANTS.—From funds available
12 under section 506(a)(3) or section 508(c), the Secretary
13 shall award incentive grants annually to grantees that ex-
14 ceed the performance measures established by the Sec-
15 retary under this section.”.

17 SEC. 161. LIMIT OF ONE GRANT PER NATIVE AMERICAN OR-
18 GANIZATION.

(1) by redesignating subsection (b) as sub-
section (c); and

(2) by inserting after subsection (a) the following new subsection:

24 “(c) ONE-GRANT LIMIT.—A federally recognized
25 tribe represented by an organization specified in sub-

1 section (a) shall be eligible for only one grant under this
2 title for any fiscal year.”.

3 **SEC. 162. EXPENDITURES FOR NUTRITION SERVICES.**

4 Section 614(c) (42 U.S.C. 3057e(c)) is amended—

5 (1) by striking “(c)” and inserting the fol-
6 lowing:

7 “(c) APPROVAL BY ASSISTANT SECRETARY.—

8 “(1) IN GENERAL.—”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) SPECIAL RULE FOR NUTRITION PRO-
12 GRAMS.—In determining whether an application
13 complies with the requirements of subsection (a)(8),
14 the Assistant Secretary shall provide maximum flexi-
15 bility to an applicant that seeks to take into account
16 subsistence needs, local customs, and other charac-
17 teristics that are appropriate to the unique cultural,
18 regional, and geographic needs of the Indian popu-
19 lations to be served.”.

20 **SEC. 163. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 633(a) (42 U.S.C. 3057n(a)) is amended by
22 striking all that precedes “to carry out this title” and in-
23 serting “There are authorized to be appropriated
24 \$18,457,000 for fiscal year 2000, and such sums as may
25 be necessary for each of the four succeeding fiscal years”.

1 **PART F—VULNERABLE ELDER RIGHTS**
2 **PROTECTION**

3 **SEC. 171. CONSOLIDATED AUTHORIZATION OF APPROPRIA-**
4 **TIONS AND RELATED AMENDMENTS.**

5 (a) CONSOLIDATED AUTHORIZATION.—Section 702
6 (42 U.S.C. 3058a) is amended by striking all that follows
7 the heading and inserting the following:

8 “There are authorized to be appropriated to carry out
9 this subtitle \$12,181,000 for fiscal year 2000 and such
10 sums as may be necessary for each of the four succeeding
11 fiscal years.”.

12 (b) MINIMUM FUNDING FOR OMBUDSMAN AND
13 ELDER RIGHTS ACTIVITIES.—

14 (1) REPEAL OF MINIMUM ALLOTMENTS.—Sec-
15 tion 703(a)(2) (42 U.S.C. 3058b(a)(2)) is
16 amended—

17 (A) by striking subparagraph (C); and

18 (B) by redesignating subparagraph (D) as
19 subparagraph (C).

20 (2) MAINTENANCE OF EFFORT REQUIRE-
21 MENT.—Section 705(a) (42 U.S.C. 3058d(a)) is
22 amended—

23 (A) by redesignating paragraph (8) as
24 paragraph (9);

25 (B) by inserting after paragraph (7) the
26 following new paragraph:

1 “(8) an assurance that total State expenditures
 2 in any fiscal year for the long-term care ombudsman
 3 program under section 712 shall not be less than
 4 total State expenditures for such programs under
 5 this Act in fiscal year 1999; and

6 (C) in paragraph (9), as redesignated, by
 7 striking “paragraphs (1) through (7)” and in-
 8 serting “paragraphs (1) through (8).”.

9 (c) OPTIONAL STATE IMPLEMENTATION OF TITLE
 10 VII PROGRAMS.—

11 (1) STATE ASSURANCES CONCERNING EXPENDI-
 12 TURES.—Section 705(a)(7)(A) (42 U.S.C.
 13 3058(a)(7)(A)) is amended by striking “funds ap-
 14 propriated under section 702(d)” and inserting “any
 15 funds used by the State”.

16 (2) OMBUDSMAN PROGRAM.—Section 712(a)
 17 (42 U.S.C. 3058g(a)) is amended by striking “In
 18 order to be eligible to receive an allotment under
 19 section 703 from funds appropriated under section
 20 702(a), a State agency shall” and inserting “With
 21 funds allotted to a State under section 703, the
 22 State agency shall”.

23 (3) ELDER ABUSE PREVENTION.—Section
 24 721(a)(1) (42 U.S.C. 3058i(a)(1)) is amended by
 25 striking “In order to be eligible to receive an allot-

1 ment under section 703 from funds appropriated
2 under section 702(b), a State agency shall” and in-
3 serting “With funds allotted to a State under section
4 703, the State agency shall”.

5 (4) ELDER RIGHTS AND LEGAL ASSISTANCE.—
6 Section 731(a)(1) (42 U.S.C. 3058j(a)(1)) is amend-
7 ed by striking “In order to be eligible to receive an
8 allotment under section 703 from funds appro-
9 priated under section 702(c), a State agency shall”
10 and inserting “With funds allotted to a State under
11 section 703, the State agency of a State electing to
12 implement a program under this chapter shall”.

13 (5) OUTREACH, COUNSELING, AND ASSIST-
14 ANCE.—

15 (A) Section 741(b) (42 U.S.C. 3058k(b))
16 is amended by striking “In order to be eligible
17 to receive an allotment under section 703 from
18 funds appropriated under section 702(d), a
19 State agency shall” and inserting “With funds
20 allotted to a State under section 703, consistent
21 with section 705(a)(7), the State agency of a
22 State electing to implement a program under
23 this chapter shall”.

1 (B) Section 741(c) (42 U.S.C. 3058k(c)) is
 2 amended by striking “The State agency shall”
 3 and inserting “The State agency may”.

4 (C) Section 741(e) (42 U.S.C. 3058k(e)) is
 5 amended by striking “MAINTENANCE OF EF-
 6 FORT.—Any funds appropriated” and inserting
 7 “SUPPLEMENTATION REQUIREMENT.—Any
 8 funds used”.

9 **SEC. 172. LIFE COURSE PLANNING PROGRAM.**

10 (a) REDESIGNATION AND EXPANSION OF OUTREACH,
 11 COUNSELING, AND ASSISTANCE PROGRAM.—Chapter 5 of
 12 subtitle A of title VII (42 U.S.C. 3058k et seq.) is
 13 amended—

14 (1) in the heading, to read as follows:

15 **“CHAPTER 5—LIFE COURSE PLANNING”;**

16 (2) in the heading of section 741 (42 U.S.C.
 17 3058k), to read: **“STATE LIFE COURSE PLAN-
 18 NING PROGRAM”;**

19 (3) in section 741(a) (42 U.S.C. 3058k)—

20 (A) by redesignating paragraphs (2)
 21 through (6) as paragraphs (3) through (7), re-
 22 spectively; and

23 (B) by inserting after paragraph (1) the
 24 following new paragraph:

1 “(2) LIFE COURSE PLANNING.—The term ‘life
2 course planning’ means the identification and imple-
3 mentation by an individual of appropriate measures
4 to prepare for the financial, health, and social as-
5 pects of longevity and to ensure the protection of
6 elder rights, and includes such planning with respect
7 to—

8 “(A) economic security, including financial
9 literacy and knowledge of pension and public
10 benefits;

11 “(B) options for community participation
12 and social activities, including access to employ-
13 ment, volunteer, education, and leisure opportu-
14 nities;

15 “(C) housing options;

16 “(D) insurance benefits; and

17 “(E) consumer protection, including de-
18 fenses against telemarketing scams and fraudu-
19 lent investment offers.”;

20 (4) in section 741(b) (42 U.S.C. 3058k(b)), in
21 the matter preceding paragraph (1), by striking “es-
22 tablish—” and all that follows and inserting “estab-
23 lish a program to provide, to older individuals and
24 to others preparing for retirement and old age, out-

1 reach, information, counseling, and assistance re-
2 lated to life course planning. The program shall—

3 “(A) at a minimum include—

4 “(i) a program to provide to older in-
5 dividuals outreach, counseling, and assist-
6 ance related to obtaining insurance bene-
7 fits; and

8 “(ii) a program to provide outreach,
9 counseling, and assistance to older individ-
10 uals who may be eligible for, but who are
11 not receiving, public benefits;

12 “(B) provide additional life course plan-
13 ning services to the extent permitted by avail-
14 able funds;

15 “(C) establish a system of referral to ap-
16 propriate service providers and agencies;

17 “(D) give priority to those in greatest so-
18 cial and economic need, with particular atten-
19 tion to low-income minorities;

20 “(E) ensure coordination with services and
21 programs under title III and with other pro-
22 viders and agencies;

23 “(F) provide for adequate and trained
24 staff (including volunteers) to carry out the
25 program; and

1 “(G) ensure that staff and volunteers are
2 not subject to conflicts of interest.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 741(a)(6) (42 U.S.C. 3058k(a)(6)),
5 as redesignated, is amended by striking “subsection
6 (b)(1)” and inserting “subsection (b)(1)(A)(i)”.

7 (2) Section 741(a)(7) (42 U.S.C. 3058k(a)(7)),
8 as redesignated, is amended by striking “subsection
9 (b)(2)” and inserting “subsection (b)(1)(A)(ii)”.

10 **SEC. 173. DEMONSTRATION AUTHORITY EXTENDED TO**
11 **LIFE COURSE PLANNING.**

12 (a) SCOPE OF DEMONSTRATION.—Section 706(a) (42
13 U.S.C. 3058e(a)), is amended—

14 (1) by striking “and” at the end of paragraph
15 (2);

16 (2) by striking the period at the end of para-
17 graph (3) and inserting “; and”; and

18 (3) by adding after paragraph (3) the following
19 new paragraph:

20 “(4) assistance with life course planning (as de-
21 fined in section 741(a)(2)).”.

22 (b) BENEFITS.—Section 706(b)(1) (42 U.S.C.
23 3058e(b)(1)) is amended by inserting before the semicolon
24 “, and regarding other available benefits, assistance, or

1 services identified through life course planning described
2 in paragraph (4) of subsection (a)”.

3 **PART G—DEFINITIONS**

4 **SEC. 181. DEFINITIONS.**

5 (a) RELOCATION, REORDERING, AND REDESIGNA-
6 TION OF DEFINITIONS.—

7 (1)(A) Paragraphs (1) and (2) of section 302
8 (42 U.S.C. 3022) are relocated and redesignated as
9 paragraphs (48) and (49) of section 102 (42 U.S.C.
10 3).

11 (B) Paragraph (3) of section 302 (42 U.S.C.
12 3022) is repealed.

13 (2)(A) Section 102(5) (42 U.S.C. 3022(5)) is
14 amended by inserting “(A)” after “(5)”.

15 (B) Section 102(6) (42 U.S.C. 3022(6)) is
16 amended—

17 (i) by striking “(A)” and “(B)” and insert-
18 ing “(i)” and “(ii)”; and

19 (ii) by striking “(6)” and inserting “(B)”.

20 (C) Section 102(7) (42 U.S.C. 3022(7)) is
21 amended by striking “(7)” and inserting “(C)”.

22 (3)(A) Section 102(8) (42 U.S.C. 3022(8)) is
23 amended—

1 (i) by striking the subparagraph designa-
 2 tions “(A)” through “(H)” and inserting clause
 3 designations “(i)” through “(vii)”; and

4 (ii) by inserting “(A)” after “(8)”.

5 (B) Section 102(9) (42 U.S.C. 3022(9)) is
 6 amended—

7 (i) by striking the subparagraph designa-
 8 tions “(A)” and “(B)” and inserting the clause
 9 designations “(i)” and “(ii)”; and

10 (ii) by striking “(9)” and inserting “(B)”.

11 (b) ELIMINATION OF THE DEFUNCT TRUST TERRI-
 12 TORY OF THE PACIFIC ISLANDS (TTPI) FROM DEFINI-
 13 TION OF STATE.—

14 (1) ELIMINATION OF DEFINITION OF TTPI.—

15 Section 103(12) (42 U.S.C. 3022(12)) is repealed.

16 (2) AMENDMENT OF DEFINITION OF STATES.—

17 Section 102(3) (42 U.S.C. 3022(3)) is amended—

18 (A) by inserting “and” after “American
 19 Samoa”; and

20 (B) by striking “the Trust Territory of the
 21 Pacific Islands”.

22 (3) AMENDMENT TO ALLOTMENT FORMULAS.—

23 (A) BASIC STATE GRANTS.—Section
 24 304(a)(1) (42 U.S.C. 3024(a)(1)) is amended—

25 (i) in the first sentence—

1 (I) by striking “(B) Guam,” and
 2 inserting “(B) Guam and”;
 3 (II) by striking “, and the Trust
 4 Territory of the Pacific Islands,”; and
 5 (ii) in the last sentence, by striking
 6 “the Trust Territory of the Pacific Is-
 7 lands,”.

8 (B) GRANTS FOR STATE PLAN ADMINIS-
 9 TRATION.—Section 308(b) (42 U.S.C. 3028(b))
 10 is amended in paragraphs (1)(B) and (2)(B) by
 11 striking “the Trust Territory of the Pacific is-
 12 lands,”.

13 (c) DEFINITION OF NATIVE AMERICAN.—Section
 14 102 (42 U.S.C. 3022) is amended by adding at the end
 15 the following new paragraph:

16 “(45) The term ‘Native American’ includes an
 17 Indian (as defined in paragraph (5)) and a Native
 18 Hawaiian (as defined in section 625).”.

19 **PART H—EFFECTIVE DATE**

20 **SEC. 191. EFFECTIVE DATE.**

21 Except as otherwise specifically provided, the amend-
 22 ments made by this title shall become effective October
 23 1, 1999.

TITLE II—WHITE HOUSE CONFERENCE ON AGING

SEC. 201. WHITE HOUSE CONFERENCE AUTHORIZED.

(a) **AUTHORITY TO CALL CONFERENCE.**—Not later than December 31, 2005, the President shall convene the White House Conference on Aging in order to develop recommendations for additional research and action in the field of aging which will further the policy set forth in subsection (b).

(b) **PLANNING AND DIRECTION.**—The Conference shall be planned and conducted under the direction of the Secretary in cooperation with the Assistant Secretary for Aging and the heads of such other Federal departments and agencies as are appropriate. Such assistance may include the detail of personnel on a reimbursable or non-reimbursable basis as the head of the department or agency may decide.

(c) **PURPOSE OF THE CONFERENCE.**—The purpose of the Conference shall be—

(1) to increase the public awareness of the interdependence of generations and the essential contributions of older individuals to society for the well-being of all generations in light of population longevity;

1 (2) to identify the problems facing older individ-
2 uals and the commonalities of the problems with
3 problems of younger generations, some of which can
4 be alleviated through policy and program interven-
5 tions as well as effective life course planning;

6 (3) to examine the well-being of older individ-
7 uals, including the impact the well-being of older in-
8 dividuals has on our longevous society;

9 (4) to develop such specific and comprehensive
10 recommendations for executive and legislative action
11 as may be appropriate for maintaining and improv-
12 ing the well-being of older Americans;

13 (5) to develop recommendations for the coordi-
14 nation of Federal policy with state and local needs
15 and the implementation of such recommendations;
16 and

17 (6) to review the status and multigenerational
18 value of recommendations adopted at previous White
19 House Conferences on Aging and incorporate devel-
20 opments which acknowledge advances in knowledge
21 and technology.

22 (d) CONFERENCE PARTICIPANTS AND DELE-
23 GATES.—

1 (1) PARTICIPANTS.—In order to carry out the
2 purposes of this section, the Conference shall bring
3 together—

4 (A) representatives of Federal, State, local,
5 and tribal governments;

6 (B) professional and lay people who are
7 working in the field of aging; and

8 (C) representatives of the general public,
9 particularly older individuals.

10 (2) SELECTION OF DELEGATES.—The delegates
11 shall be selected without regard to political affili-
12 ation or past partisan activity and shall, to the best
13 of the appointing authority's ability, be representa-
14 tive of the spectrum of thought in the field of aging.
15 Delegates shall include individuals who are profes-
16 sionals, individuals who are nonprofessional, minor-
17 ity individuals, and individuals from low-income fam-
18 ilies. A majority of delegates shall be aged 55 or
19 older.

20 **SEC. 202. CONFERENCE ADMINISTRATION.**

21 (a) ADMINISTRATION.—In administering this section,
22 the Secretary shall—

23 (1) provide written notice to all members of the
24 Policy Committee of each meeting, hearing, or work-
25 ing session of the Policy Committee not later than

1 48 hours before the occurrence of such meeting,
2 hearing, or working session;

3 (2) request the cooperation and assistance of
4 the heads of such other Federal departments and
5 agencies as may be appropriate in the carrying out
6 of this section;

7 (3) furnish all reasonable assistance, including
8 financial assistance, to State agencies on aging and
9 to area agencies on aging, and to other appropriate
10 organizations (including organizations representing
11 older Indians), to enable them to organize and con-
12 duct conferences and other activities in conjunction
13 with the Conference (including activities in advance
14 of the Conference, as part of the process of planning
15 for the Conference, and activities subsequent to the
16 Conference in connection with dissemination, discus-
17 sion, and implementation of recommendations of the
18 Conference);

19 (4) make available for public comment a pro-
20 posed agenda, prepared by the Policy Committee, for
21 the Conference which will reflect to the greatest ex-
22 tent possible the major issues facing older individ-
23 uals consistent with the provisions of subsection (a);

1 (5) prepare and make available background ma-
2 terials for the use of delegates to the Conference
3 which the Secretary deems necessary; and

4 (6) engage such additional personnel as may be
5 necessary to carry out the provisions of this section
6 without regard to provisions of title 5, United States
7 Code, governing appointments in the competitive
8 service and the Senior Executive Service, and with-
9 out regard to chapter 51 and subchapter III of
10 chapter 53 of such title relating to classification and
11 pay rates for the General Schedule and the Senior
12 Executive Service.

13 (b) DUTIES.—The Secretary shall, in carrying out
14 the Secretary’s responsibilities and functions under this
15 section, and as part of the White House Conference on
16 Aging, ensure that—

17 (1) the conferences under subsection (a)(3)
18 shall—

19 (A) include a conference on older Native
20 Americans to identify conditions that adversely
21 affect older Native Americans, to propose solu-
22 tions to ameliorate such conditions, and to pro-
23 vide for the exchange of information relating to
24 the delivery of services to older Native Ameri-
25 cans; and

1 (B) be so conducted as to ensure broad
2 participation of older individuals;

3 (2) the agenda prepared under subsection
4 (a)(4) for the Conference is published in the Federal
5 Register not later than 30 days after such agenda
6 is approved by the Policy Committee, and the Sec-
7 retary may republish such agenda together with the
8 recommendations of the Secretary regarding such
9 agenda;

10 (3) the personnel engaged under subsection
11 (a)(5) shall be fairly balanced in terms of points of
12 views represented and shall be appointed without re-
13 gard to political affiliation or previous partisan ac-
14 tivities;

15 (4) the recommendations of the Conference are
16 not inappropriately influenced by any appointing au-
17 thority or by any special interest, but will instead be
18 the result of the independent judgment of the Con-
19 ference; and

20 (5) current and adequate statistical data, in-
21 cluding decennial census data, and other information
22 on the well-being of older individuals in the United
23 States are readily available, in advance of the Con-
24 ference, to the delegates of the Conference, together
25 with such information as may be necessary to evalu-

1 ate Federal programs and policies relating to aging.
2 In carrying out this paragraph, the Secretary is au-
3 thorized to make grants to, and enter into coopera-
4 tive agreements with, public agencies and nonprofit
5 private organizations.

6 (c) GIFTS.—

7 (1) GIFT ACCEPTANCE AUTHORITY.—The Sec-
8 retary may accept, on behalf of the United States,
9 gifts (in cash or in kind, including voluntary and un-
10 compensated services), which shall be available to
11 carry out this title. Gifts of cash shall be available
12 in addition to amounts appropriated to carry out
13 this title.

14 (2) ETHICS GUIDELINES.—The Secretary shall
15 establish written guidelines setting forth the criteria
16 to be used in determining whether the acceptance of
17 gifts or donations pursuant to this paragraph would
18 reflect unfavorably upon the ability of the Depart-
19 ment of Health and Human Services, the Adminis-
20 tration on Aging, or any employee to carry out its
21 responsibilities or official duties in a fair and objec-
22 tive manner, or would compromise the integrity or
23 the appearance of integrity of its programs or of any
24 official involved in those programs.

1 (d) RECORDS.—The Secretary shall maintain records
2 regarding—

3 (1) the sources, amounts, and uses of gifts ac-
4 cepted under subsection (c); and

5 (2) the identity of each person receiving assist-
6 ance to carry out this title, and the amount of such
7 assistance received by each such person.

8 **SEC. 203. POLICY COMMITTEE; RELATED COMMITTEES.**

9 (a) POLICY COMMITTEE.—

10 (1) ESTABLISHMENT.—There is established a
11 Policy Committee comprised of 25 members to be se-
12 lected, not later than 90 days after the enactment
13 of the Older Americans Act of 1999, as follows:

14 (A) PRESIDENTIAL APPOINTEES.—13
15 members shall be selected by the President and
16 shall include—

17 (i) 3 members who are officers or em-
18 ployees of the United States; and

19 (ii) 10 members with experience in the
20 field of aging, who may include representa-
21 tives of public aging agencies, institution-
22 based organizations, and minority aging
23 organizations, and shall include a member
24 of the Federal Council on the Aging.

1 (B) HOUSE APPOINTEES.—2 members
2 shall be selected by the Speaker of the House
3 of Representatives, and 2 members by the Mi-
4 nority Leader of the House of Representatives,
5 after consultation with the Committee on Edu-
6 cation and the Workforce and the Committee
7 on Ways and Means of the House of Represent-
8 atives.

9 (C) SENATE APPOINTEES.—2 members
10 shall be selected by the Majority Leader of the
11 Senate, and 2 members by the Minority Leader
12 of the Senate, after consultation with members
13 of the Committee on Health, Education, Labor,
14 and Pensions and the Special Committee on
15 Aging of the Senate.

16 (D) JOINT APPOINTEES.—2 members shall
17 be selected jointly by the Speaker of the House
18 of Representatives and the Majority Leader of
19 the Senate, and 2 members shall be selected
20 jointly by the minority leaders of the House and
21 Senate, and shall include representatives with
22 experience in the field of aging, who may in-
23 clude representatives described in subsection
24 (a)(1)(A)(ii).

1 (2) DUTIES OF THE POLICY COMMITTEE.—The
2 Policy Committee shall initially meet at the call of
3 the Secretary, but not later than 30 days after the
4 last member is selected under subsection (a). Subse-
5 quent meetings of the Policy Committee shall be
6 held at the call of the chairperson of the Policy
7 Committee. Through meetings, hearings, and work-
8 ing sessions, the Policy Committee shall—

9 (A) make recommendations to the Sec-
10 retary to facilitate the timely convening of the
11 Conference;

12 (B) formulate and approve a proposed
13 agenda for the Conference not later than 60
14 days after the first meeting of the Policy Com-
15 mittee;

16 (C) make recommendations for partici-
17 pants and delegates of the Conference;

18 (D) establish the number of delegates to be
19 selected under section 301(d)(2); and

20 (E) formulate and approve the initial re-
21 port of the Conference in accordance with sec-
22 tion 304.

23 (3) QUORUM; COMMITTEE VOTING; CHAIR-
24 PERSON.—

1 (A) QUORUM.—13 members shall con-
2 stitute a quorum for the purpose of conducting
3 the business of the Policy Committee, except
4 that 17 members shall constitute a quorum for
5 purposes of approving the agenda required by
6 paragraph (2)(B) and the report required by
7 paragraph (2)(E).

8 (B) VOTING.—The Policy Committee shall
9 act by the vote of the majority of the members
10 present.

11 (C) CHAIRPERSON.—The President shall
12 select a chairperson from among the members
13 of the Policy Committee. The chairperson may
14 vote only to break a tie vote of the other mem-
15 bers of the Policy Committee.

16 (b) OTHER COMMITTEES.—The Secretary may estab-
17 lish such other committees, including technical commit-
18 tees, as may be necessary to assist in the planning, con-
19 ducting, and reviewing of the Conference.

20 (c) COMPOSITION OF COMMITTEES.—Each com-
21 mittee established under subsection (b) shall be composed
22 of professionals and public members, and shall include in-
23 dividuals from low-income families, and individuals who
24 are Native Americans. Appropriate efforts shall be made
25 to include individuals who are members of minority

1 groups. A majority of the public members of each such
2 committee shall be 55 years of age or older.

3 (d) COMPENSATION.—Appointed members of any
4 such committee (other than any officers or employees of
5 the Federal Government), while attending conferences or
6 meetings of the committee or otherwise serving at the re-
7 quest of the Secretary, while away from their homes or
8 regular places of business, may be allowed travel expenses,
9 including per diem in lieu of subsistence, at the rate au-
10 thorized under section 5708 of title 5, United States Code,
11 for persons employed intermittently in Federal Govern-
12 ment services.

13 **SEC. 204. REPORT OF THE CONFERENCE.**

14 (a) PROPOSED REPORT.—A proposed report of the
15 Conference, which shall include a statement of comprehen-
16 sive coherent national policy on aging together with rec-
17 ommendations for the implementation of the policy, shall
18 be published and submitted to the chief executive officers
19 of the States not later than 90 days following the date
20 on which the Conference is adjourned. The findings and
21 recommendations included in the published proposed re-
22 port shall be immediately available to the public.

23 (b) RESPONSE TO PROPOSED REPORT.—The chief
24 executive officers of the States, after reviewing and solici-
25 ting recommendations and comments on the report of the

1 Conference, shall submit to the Policy Committee, not
2 later than 90 days after receiving the report, their views
3 and findings on the recommendations of the Conference.

4 (c) REPORTS.—

5 (1) INITIAL REPORT.—The Policy Committee
6 shall, after reviewing the views and recommenda-
7 tions of the chief executive officers of the States,
8 prepare and approve an initial report of the Con-
9 ference, which shall include a compilation of the ac-
10 tions of the chief executive officers of the States and
11 take into consideration the views and findings of
12 such officers.

13 (2) PUBLICATION OF INITIAL REPORT; FINAL
14 REPORT.—Not later than 60 days after such initial
15 report is transmitted by the Policy Committee, the
16 Secretary shall publish such initial report in the
17 Federal Register. The Secretary shall republish a
18 final report together with such additional views and
19 recommendations as the Secretary considers to be
20 appropriate.

21 (d) RECOMMENDATIONS OF THE POLICY COM-
22 MITTEE.—The Policy Committee shall, within 90 days
23 after submission of the views of the chief executive officers
24 of the States, publish and transmit to the President and
25 to the Congress recommendations for the administrative

1 action and the legislation necessary to implement the rec-
2 ommendations contained within the report.

3 **SEC. 205. DEFINITIONS.**

4 For the purposes of this title—

5 (1) the term “area agency on aging” has the
6 meaning given the term in section 102 of the Older
7 Americans Act of 1965;

8 (2) the term “State agency on aging” means
9 the State agency designated under section 305(a)(1)
10 of the Act;

11 (3) the term “Secretary” means the Secretary
12 of Health and Human Services;

13 (4) the term “Conference” means the White
14 House Conference on Aging; and

15 (5) the term “State” means any of the several
16 States, the District of Columbia, the Commonwealth
17 of Puerto Rico, Guam, American Samoa, the Virgin
18 Islands, the Commonwealth of the Northern Mar-
19 iana Islands, and the Trust Territory of the Pacific
20 Islands.

21 **SEC. 206. AUTHORIZATION OF APPROPRIATIONS.**

22 (a) AUTHORIZATION.—There are authorized to be ap-
23 propriated such sums as may be necessary for fiscal years
24 2001 through 2007 to carry out this title.

25 (b) AVAILABILITY OF FUNDS.—

1 (1) IN GENERAL.—Funds appropriated to carry
2 out this title and funds received as gifts under sec-
3 tion 303(c) shall remain available until expended.

4 (2) UNOBLIGATED FUNDS.—Any funds de-
5 scribed in paragraph (1) that are unobligated as of
6 the date one year after the date the Conference ad-
7 journs shall be available to carry out the Older
8 Americans Act of 1965.

○